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ART. I.—*The Life of Wesley; and the Rise and Progress of Methodism.* By Robert Southey, Esq. Second Edition. 2 vols. 8vo. London. 1820.

FEW more extraordinary persons have appeared in the Christian Church than Wesley, whether we consider his personal character, or the effects which he has produced amongst us. In a space of time much less than a century, the Methodists have extended their principles and their discipline over a very considerable part of the population of Great Britain, Ireland, and America. In the South Sea islands their missions are advancing with a success scarcely inferior to that of the Jesuits in Paraguay; and they share with the Moravians the merit of having brought among the slaves in our West Indies whatever quantity of religious knowledge their masters will allow them to receive. In all the countries whither they have penetrated, they form, as Mr. Southey observes, a distinct people, an imperium in imperio—who, though (the Wesleyan Methodists at least) avowedly members of the English Episcopal Church, and differing in few particulars from the faith of the majority of their fellow-citizens, have yet their own seminaries, their own hierarchy, their own regulations, their own manners, their own literature,—their own rapidly-increasing population, who regard themselves as the peculiar people of God, and the remainder of their countrymen as, if not altogether worldly and profane, at most only half-believers.

But it is not by the numbers of the professed Methodists alone, that the amount of their influence and the moral effect which they have produced is to be computed. Of their numbers, we confess we are inclined to think more moderately than the greater part of those who deplore or exult in their progress. If we were to admit, without qualification, those estimates of their increase and influence which their advocates, in the wantonness of partial success, and their antagonists in the alarm of watchful jealousy, have sometimes furnished, it would follow that the field of battle was already in their possession, that they were already the greater part of ourselves, and that the boast which Tertullian applied to the Christians under Pagan Rome, was as appropriate, in Protestant England, to the followers of Wesley and Whitefield:—‘Ob-

sessam vociferantur civitatem : in agris, in castellis, in insulis—omnem sexum, ætatem, conditionem, et jam dignitatem transgredi ad hoc nomen, mœrent !

If such expressions were applicable in their full extent to the present state of religion in our land, we certainly should be among the last to dissemble our opinion that it would be a state of things exceedingly to be lamented. Even if fewer objections were to be found (and the objections in our minds are many and grave,) to the doctrines which the Methodists particularly teach, and the discipline which they impose on their followers, yet is it no trifling evil in itself, (and one which could only be outweighed by an overwhelming necessity of reformation,) to unsettle the minds of men from the religion of their ancestors and of the state, and from those forms of worship which early associations have rendered venerable. Believing, as we do, that the present ecclesiastical establishment is the instrument the best qualified of all others which have been tried, to answer the purposes of religious instruction and public devotion, we have good reason to deprecate its removal or desertion in favour of systems which have as yet by no means stood the test of sufficient experience ; nor can we consent that those rulers, whose office and authority we firmly believe to be derived from the Apostles themselves, should be displaced to make way for the successors of Dr. Coke and Mr. Astbury.

There can, however, be no advantage in harassing the minds of men by an exaggerated alarm, or of swelling a danger—in reality sufficiently great to call forth the best energies of the defenders of the temple,—to an amount which, if real, would leave them little else than the choice of submission or of martyrdom. It must be observed, in qualification of such forebodings, that if, by the success of Methodism, the numbers of those who are avowedly separated from the church is increased, a great proportion of their converts were previously, in fact, of no church and no religion ; that no small number have been drawn from sects whose principles were more hostile to the Established Church than those of the Methodists ; that in the natural advance of population during the last half century, a certain and progressive increase might have been counted on, even without the aid of converts ; that, if the chapels of the Methodists are numerous, they are, on the other hand, mostly small ; that, as their principal harvest has been reaped if not from the indolence of the clergy, yet from the insufficient supply of church room, so many of them return to the worship of their forefathers wherever they meet with a *free church* or a popular pastor ; and that, from the annual reports of the Wesleys themselves, the number of their members, who constitute more than half the whole body of Methodists, is not, we believe, in all

above two or three hundred thousand; no very appalling amount in a population of sixteen millions.

But it is not, as we have already observed, by the numbers of the professed Methodists alone that we must estimate the moral effect which they have produced, and are producing among Christians. The religious ferment first excited by their preaching has extended far beyond the visible bounds of their society. It has stimulated the clergy to greater seriousness and activity in the discharge of their functions; it has set the laity on thinking for themselves; it has, as an incidental consequence of the rivalry of hostile sects, (roused by the new phenomenon to the practice of new means of popularity) forwarded, to a degree never previously contemplated, the education and religious instruction of the lower classes; it has opposed, among those classes, a mighty and countervailing principle to the poisonous flood of modern philosophy. It is obvious, even to a careless observer, that religion is more in the minds and mouths of men than formerly; that a greater curiosity is excited by its discussion. And, amid all the vices which a long war and a luxurious capital, and a renewed intercourse with foreign nations, have produced in the two extremes of society, the majority are, on the whole, less ashamed of, and more attentive to the outward appearances of piety than they seem to have been during the preceding century. Nor can it be doubted, from the crowded state of all our ancient places of worship, and from the avidity with which every additional opportunity is seized which free churches or evening lectures afford, that the church has gleaned in this spiritual harvest a great, if not a proportionate, addition of intelligent and zealous members; and that, if the appetite for religion, however excited, can be gratified in the national establishments, a great proportion of the world will, in preference, seek their way to Heaven through those paths which their forefathers have trodden.

But if the incidental advantages are thus great to which Methodism has given rise, it is not to be dissembled that its incidental bad consequences have been neither few nor inconsiderable. Those evils are partly such as inseparably attend every great excitation of the public mind, by whatever cause originated, and directed to whatever object; and partly they arise from the peculiar circumstances under which Methodism was introduced, and the nature of some of its doctrines. It is impossible that such discussions should have taken place, in a world constituted like our own, without giving occasion to many breaches of Christian charity, and of national as well as ecclesiastical union. Religion has ceased, in many instances, to be a question between the conscience of men and their Maker; it has become a matter of party; and has been

made the pretence for all the odious passions and mutual aspersions with which every party is inclined to regard or assail its opponents. The dangers of the nation have been regarded, even by good men, with less sympathy than they would otherwise have been, because, in such dangers, they foresaw the downfall of those religious establishments which they had learned to regard as hostile to Christianity; while others have despaired too soon of the national safety, from a belief that the majority of their countrymen were unworthy of the Divine protection. In neighbourhoods and in families dissension has been sown among those who, till then, had followed the same spiritual guides, and walked to the same House of God in company. Parental authority, and the mutual affection of brothers and sisters, have been weakened or destroyed from differences which referred to no essential point of doctrine or practice. Needless scruples and ill-judged austerities of manner and deportment have agitated bosoms and darkened countenances which before were guileless, and innocent, and gay as the birds in the thicket; while a fresh argument has been furnished, by such excesses, to the enemies of piety, and a fresh and most injurious watch-word obtained to increase the odium which is too apt to follow any remarkable earnestness or activity in the cause of holiness. And, what is, perhaps, the worst and most pervading evil of all, the degree in which the public mind has been led to religious discussion, and the indiscriminate manner in which that discussion has been mingled with the society, the business, and amusements of the world, has led many to restrict their views of holiness to little more than a kind of godly gossip, and to esteem religion itself as a thing rather to be talked about than to be carried into practice.

Of the extraordinary man, to whose labours so much good and so much evil may be attributed, the history had been, till now, almost unknown in foreign nations, and very imperfectly and partially appreciated by his own countrymen. Few persons, however, had left behind them more abundant materials for their own biography. From the 23d to the 88th year of a most active and restless life, John Wesley had found time to keep a Diary, not only of his actions, but of his thoughts, his studies, his remarks on books, on men, and miscellaneous topics, with a minuteness and vivacity only possible to one who had sufficient vanity to believe all which respected himself worth recording, and sufficient ability to render all which he recorded interesting. In all his printed works, on whatever subject, (and these amount to sixteen volumes,) he has found a necessity or opportunity to speak of himself, his habits of life and modes of thinking; and he lived so much and so long in the sight of men, and there were so many men to whom

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his slightest peculiarities were tinged with the odour of sanctity, that his words and actions, if he had himself omitted to record them, were none of them likely to fall to the ground and be forgotten. But though, within a few years after his death, his history was given to the world in more than one bulky publication, his biographers, prior to Mr. Southey, were more intent on forwarding the ends of religious faction, than on presenting to mankind an accurate picture of their hero. In some of them the heart was wanting to understand his worth, or the will to do it justice: others did not possess sufficient freedom or strength of intellect to perceive wherein he was erroneous.

There is, indeed, no description of history so difficult to write in a candid and historical temper, as the lives of those who have been the principal agents in a religious revolution, inasmuch as there are no revolutions to which the race of men are liable, which interest so deeply the strongest feelings of our nature, and leave behind them so lasting an impression on the moral and political frame of society. 'The Emperor Charles V.' Mr. Southey observes, 'and his rival of France appear at this day infinitely insignificant, if we compare them with Luther and Loyola: and there may come a time when the name of Wesley will be more generally known, and in remoter regions of the globe, than that of Frederick or of Catherine. For the works of such men survive them, and continue to operate, when nothing remains of worldly ambition but the memory of its vanity and its guilt.'

But if the intensity of the interest excited by such men is, in general, the greatest obstacle to obtaining an accurate knowledge of their characters, it may be said that there were countervailing causes in the case of Wesley, which have enabled the world to judge of him with a greater and earlier impartiality than of most men whose sphere of action has been so extensive, and the effects which they have produced so important. The very violence of that admiration which he received from his friends, and of that opposition which his enemies raised against him, had a natural tendency to work off itself more rapidly than if he and his proceedings had, in the first instance, been either censured or praised with more moderation. Men soon grow tired of calling their brother a perfect saint or an incarnate devil; and to this result the unusual longevity of Wesley himself may be thought to have greatly contributed. The world became familiar with him and his ways; the one side learned to respect him more, and the other to worship him less, than if he had passed a shorter time among them; and, while the opinions of mankind were thus gradually changing, Wesley in his own character underwent some changes also. If his ambition and love of power grew stronger, if his credulity received, as was likely to happen,

some accession from old age, yet his enthusiasm, in the same proportion, became of a milder and less obnoxious character; he grew doubtful or careless as to some of those doctrines on which, in his early career, he had laid the greatest stress, and by which his opponents had been most offended; and if he were more of a schismatic from the *discipline* of the Church of England at fourscore than at six and thirty, it is certain that his difference from her in *doctrine* had, in the mean time, greatly softened.

Nor were the exterior courtesy of his manners, the comeliness and gravity of his appearance, and the acquaintance which he through life kept up with learned men and general literature, without their efficacy in softening any personal prejudice which his opponents might entertain or excite against him. He was not a bawling coarse-visaged fanatic: he was an enthusiast doubtless, but an enthusiast of a liberal temper and cultivated understanding; and the comparison between himself and the majority of his '*helpers*' was too remarkable to be overlooked even by his enemies.

Accordingly, though the eloquence of Whitefield appears to have been greater than that of Wesley, though his disinterestedness was far more generally recognized, and though his overt acts of separation from the church were, after all, by no means so decisive, yet it was Whitefield and not Wesley who was principally assailed, both by the arrows of profane ridicule and by the animosity and invectives of his ecclesiastical brethren; while the dispute which soon arose between them on election and reprobation had a tendency to conciliate still more the majority of the Church of England to Wesley.

Few doctrines can be named which the clergy of that church have, for some centuries past, regarded with more vigilant and anxious alarm, than that system which Augustine appears to have first introduced among Christians, but which, in modern times, we are generally content to refer to its most strenuous defender Calvin. Nor is this abhorrence to be wholly ascribed to the revolting character of the doctrine itself, or to the injurious consequences which it appears to most men to involve, as to the responsibility of man and the justice and mercy of his Maker. From the times of Elizabeth downwards, it had been one of the principal subjects of contention between the main body of the clergy and those whose avowed aims extended to the subversion of episcopal government and the purifying of the church from all those decent observances which their prejudice regarded as remnants of Babylonish corruption. The expulsion of six thousand episcopalians from their benefices during the civil war, and the bitter persecution exercised against all who still adhered to the ancient ceremonies, were not likely to diminish these feuds, or to render the Arminian part of the church more inclined to favour the system of their enemies. Nor can we wonder, though

though we must regret, that their return to power was distinguished by a retaliation, more natural than Christian, of the same severities which they had themselves so recently tasted; or that a schism was thus perpetuated which a more tolerant line of conduct might, perhaps, have then healed for ever.

But it was with the dissenters only that the clergy, since the restoration of Charles II. had been called on to debate the points of grace and free will. The calamitous and injudicious expulsion of the non-conformists had, among many bad effects, this single good one, that those who remained were like-minded; and even the dissenters had, many of them, begun to speak with more reserve as to the offensive tenets in question, and to express themselves in a manner more conformable to the pacific system of Baxter; when predestination and reprobation were at once revived in the bosom of the church itself, by the indiscreet and fiery eloquence of Whitefield, and opposed by Wesley with a zeal and closeness of reasoning which the Calvinists never forgave, but the value of which was felt by those Arminians whom he had previously most offended.

The effects, indeed, of Whitefield's revived fatalism have been, if not so dangerous to the church, yet, perhaps, more annoying than all the watch-nights and band-meetings and rival hierarchy of which Wesley was the founder, inasmuch as the continuance of domestic broils is often less endurable than the actual separation of a family. The number of the clergy who eventually adhered to Wesley was small; the supremacy which he exercised and the homage which he required were such as to revolt most of those who were entitled to regard themselves as his equals in rank and education; and his measures so evidently conducted, in spite of his constant disclaimer, and, as it would seem, in spite of his own wishes, to separation from the national religion, that few of those who wished well to its continuance were likely to proceed with him to the utmost extent of his projects. His brother, Charles Wesley, at first his most attached and able coadjutor, had, for many years before his death, discontinued his habits of itinerant preaching; and his other clerical adherents by degrees sobered down into stationary and useful ministers of a church, from the majority of whose members, this peculiarity once abandoned, they had little or nothing which could distinguish them. Even the lay-preachers, and those who entered most fully into their founder's views, as their visible connexion with the church was dissolved, were regarded (as open but moderate enemies) with more kindly feelings than those who were suspected of a hollow allegiance to her power and a secret alliance with the non-conformists.

With Whitefield the case was different. As he neither claimed nor exercised any supremacy over his followers, and as the profes-

sion of his distinguishing principles, though contrary to the usual opinions of both clergy and laity, involved no necessary breach of allegiance to the church, and might even plead in its favour, with considerable plausibility, the ambiguous and comprehensive wording of some of the articles, the clergy who adopted his opinions were by far more numerous than those who followed Wesley; and, while they professedly remained in the church, were yet very effectually distinguished from their brethren by their adherence to a very unpopular doctrine, by their preference of a phraseology which had an air of ancient puritanism, and by the invidious appropriation, to themselves and their party, of the title of Evangelical Preachers. It is no part of our present business to examine how far these sparks of difference might have been extinguished, or how far the flame might still be moderated, by a more tolerant and conciliatory treatment than these men have yet received from the high church party. But the fact is, we apprehend, unhappily notorious, that there is at present a numerous party in the church whose rise may be traced, in a great measure, to Whitefield's preaching, and that this party, though adorned with as much piety and virtue as any party of equal numbers can shew, and inferior to none, perhaps, in their fidelity to the civil and ecclesiastical establishments of their country, are yet more obnoxious and more formidable to many of their high church opponents than those professed methodists, who, however they may be reputed enemies to the church, have at least the merit of being hostile in an equal degree to Calvinism.

Accordingly, if we look at the titles of the various angry pamphlets, which appear from time to time to strut and fret their hour on the crowded stage of controversy, we shall find scarcely one in ten directed against the followers of Wesley; and even the few which are thus directed will be found, in general, to have been called out by some local abuse, or burst of unusual enthusiasm, except it be in the case of some of those rare and happy intellects who, in no instance, look further than the surface and the names of things; who, ignorant of the divisions among the methodists themselves, and confounding with methodists all to whom the vulgar apply the term, endeavour, like Mr. Polwhele, to avenge themselves on Calvinists by belabouring Arminians, and to stab Dr. Hawker of Plymouth through the cassock of old John Wesley.

And if those by whom Wesley was so warmly opposed during his life, are at present so little inclined to withhold from him his due share of panegyric, his own followers, it is hoped, (of whom the more distinguished have already shewn a disposition to discourage many of those excesses by which their founder gave so much offence to sober Christians) may now be less averse to a candid

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did examination, how far the good which Wesley is acknowledged to have done might have been effected with less incidental evil; or how far it is wise to adhere to those institutions which, themselves but of doubtful utility, have an inevitable tendency to perpetuate and embitter that separation from the church which they still profess to deprecate.

But as the period is now arrived when a sober and impartial estimate of Wesley's character and opinions is no longer unattainable, few persons could have been found, we think, better qualified for the undertaking than Mr. Southey has shewn himself to be. With a deep practical knowledge of human nature, and of that science, which the Germans have taught him to call 'psychology,' he is better read than most men now living in the general history of the church, and of those remarkable men who hold their place in its annals, either as saints or heresiarchs. He has a larger share than Lavington possessed of that peculiar learning for which Lavington was most remarkable, and he has applied it, in a wiser and more Christian temper, to the explanation of the distinctive features of methodism, and the discrimination of its good and evil. If some of his readers think him too partial to his hero, they have only to reproach him with the most natural and venial fault to which a biographer is liable; nor has his partiality blinded him to the enthusiasm and love of power which divided Wesley's character, and too often perverted the application and usefulness of talents and virtues which have been seldom surpassed. And as, in the collection of his facts, and the comparison of his evidence, he has displayed his usual industry and discrimination, his narrative, as the faithful record of singular and important occurrences, can hardly fail to be read with interest and instruction, even by those who are little inclined to concur in his sentiments on Christian doctrine or ecclesiastical polity.

The founder of Methodism always professed himself a member of the church of England, and had been brought up from his infancy in a more than usual reverence for its forms and discipline. His parents had, in early life, abandoned, from conviction, and after diligent inquiry, the communion of the dissenters for that of the establishment; in which his father, a man of exemplary learning and piety, after struggling with many difficulties, and with the powerful ill-will of the body whom he had deserted, obtained two small livings in Lincolnshire. He had many daughters and three sons; Samuel, the eldest, was first under-master of Westminster school, afterwards head of a free school at Tiverton, and distinguished himself as the intrepid friend and champion of Atterbury during his misfortunes. He appears to have been an excellent man, learned, pious, and of vigorous understanding, who, while
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he tenderly loved, and fully appreciated the worth of his brothers, was never blinded to the ill consequences of some of their peculiarities, and vainly endeavoured to repress or regulate them. John, the hero of Mr. Southey's work, was educated at the Charter-house and Christ Church, whence he was elected to a fellowship of Lincoln College. The third brother, Charles, was patronized in early life by an Irish gentleman of fortune, of the same family name of Wesley or Wellesley, who offered to make him his heir if he would consent to go with him to Ireland. The young man, who was just chosen student of Christ Church from Westminster school, preferred his prospects there, to a life of dependence on a stranger; and the favour of his namesake was in consequence transferred, and his fortune bequeathed, to Richard, second son of Sir Henry Colley, who assumed the name of Wellesley, was afterwards Earl of Mornington, and was the grandfather of Marquis Wellesley and the Duke of Wellington.

All the brothers had the advantage of an admirable domestic education and example. But it may be thought that a fire which consumed their father's parsonage, and from which John, when very young, escaped by a kind of miracle, had some tendency to make the child, so strangely saved, a greater favourite than the others, and to foster in his own mind an idea, which early possessed him, that he was destined for something wonderful.

It is still more probable that a supposed goblin, which for some time kept the family in continual bustle and alarm, confirmed, if it did not occasion the superstition and credulity which was, through life, a predominant part of Wesley's character. Of these strange occurrences, which Dr. Priestly afterwards published as 'the best authenticated, and best told story of the kind extant,' and in the supernatural character of which Mr. Southey himself appears to be a believer, a sufficiently copious account is given in his first volume. The story is by no means ill calculated for the amusement of a Christmas fireside; and it has, as Priestly observes, this remarkable peculiarity, that neither the good Vicar of Epworth himself, nor his wife and family, were more than usually credulous, or even so much terrified as most persons might have been under the apprehension of a spiritual visitor.

But we do not know that the facts are any of them worth a more particular notice. All these stories have the same general features with the drummer of Tedworth, and the other marvels in Glanville's *Sadducismus Triumphatus*. In all, the goblin has amused himself by knocking behind wainscots, imitating the chink of money, throwing down platters and furniture, and pulling young females out of bed; and in all of them, if any thing is seen, it is in the shape of some small four-footed animal, visible only

only for a moment, and by an imperfect light, to some solitary individual of the family. Now this similarity of circumstances in every visitation of the kind, is the more remarkable because such supposed manifestations of supernatural agency are precisely those which, however difficult to counterfeit in themselves, are, at all events, less difficult than most others which might be suggested. And, though it is certainly not easy to account for such occurrences by the supposition of any human legerdemain, this supposition appears to us to be the least formidable horn of the dilemma. The objection of Priestly, indeed, is any thing but satisfactory, since he has nothing to urge against the probable truth of the story but the old question '*cui bono*?' and the argument that, where no good end was answered, we may safely conclude that Almighty Power did not work a miracle. But, in the present instance, as Mr. Southey observes, no immediate manifestation of Divine Power is supposed, any more than in the case of a departed spirit appearing. 'Such things,' he remarks, 'may be preternatural and yet not miraculous; they may be not in the ordinary course of nature, and yet imply no alteration of its laws. And with regard to the good end which they may be supposed to answer, it would be end sufficient if sometimes one of those unhappy persons who, looking through the dim glass of infidelity, see nothing beyond this life, and the narrow sphere of mortal existence, should, from the well-established truth of one such story, (trifling and objectless as it might otherwise appear,) be led to a conclusion that 'there are more things in heaven and earth than are dreamt of in their philosophy.'

This is piously and eloquently urged, and so far as Dr. Priestly is concerned, it is urged victoriously; but the difficulty will still remain, that whatever has been revealed to us of the spiritual world, or whatever conjectures a sound analogy would lead us to form concerning its inhabitants, is in direct opposition to the idea of their agency being exerted in tricks so apish and insignificant as a well-educated schoolboy would be ashamed of. Those inhabitants, whether departed souls, or of a class distinct from human nature, are, at all events, universally and reasonably conceived to be superior to man in power and intelligence; and, as a good angel could take no delight in disturbing the quiet of a virtuous family, a bad angel, if he had the power of molesting them at all, would in all probability have done his mischief in a more effectual and dignified manner.

John Wesley, in his early youth, displayed an ardent love of knowledge together with a vivacity of intellect and fancy which accompanied him through life, and, at one time, seemed likely to have found its vent in poetry. As, however, he was destined by the wishes of his family,

family, and by the situation which he held in the University, to become a candidate for orders; his parents were laudably anxious that his attention should be directed to the studies which concerned his profession, and more particularly to such books as were likely to excite and cherish in his breast a strong devotional spirit. With this view his father recommended 'Thomas a Kempis,' and 'Taylor's Holy Living and Dying,' to which he himself shortly afterwards added the 'Christian Perfection,' and 'Serious Call' of that most eloquent of enthusiasts, William Law. In the plans which he began to lay down for his future life, a certain degree of romance appears to have early mingled. Not content with getting rid, in a very summary manner, of all his acquaintance whose conversation he did not think likely to promote his spiritual improvement, he sighed for a still deeper retirement than his college could supply, and had serious thoughts of accepting the mastership of a small school among the dales of Yorkshire, as a spot where he might be entirely free from all intruders, to converse with his books and his religious meditations. The option of declining this retirement was, however, not given to him, and, after officiating for two years as his father's curate at Wroote, he returned to his college, where he became Moderator of the Logical Disputations, and Greek Lecturer. For logic he had always a strong predilection, and in his latter years he thanks God, with some degree of self-complacency, for having given him that 'honest art,' whereby he was enabled so easily to detect the lurking fallacies of his opponents. Of his Greek studies less is known, except that he through life expressed a more than usual reverence for the earlier fathers of the church; yet we have heard, that in one of his latest sermons in the neighbourhood of Oxford, observing that many members of the University were among his audience, he introduced into his discourse a dissertation on the second Aorist, with a dexterity and acuteness which evinced that he had neither forgotten nor neglected the studies of sixty years before.

It was at this time that a decided colour was given to his destiny, and the foundation laid of that religious society which has since attained so formidable a power in his own country and in America. It was not, however, with Wesley himself that it began. There is nothing more remarkable in his history than that all the steps of that revolution, in which he was the principal agent, were suggested, apparently, without his seeking, and that his powerful genius was displayed, not so much in the original conception of any measure, as in placing himself at the head of the wave as it rose, and so managing his course down the stream of events as to make all of them subservient to the extension of his influence and the developement of his peculiar talents. During his absence at Wroote his younger brother Charles, whose mind the example of his

his parents and brothers had impressed very deeply with religious feelings, had drawn together, in Oxford, a small society of young men of similar views, who received the sacrament weekly at St. Mary's, and assembled daily in each other's rooms, for the purposes of prayer and study. It was natural that, on John's return to his fellowship at Lincoln College, he should be invited to join their party, and his superior age, though he too was very young, together with his station in the University, his character for learning, and, above all, his being already in priest's orders, combined as naturally to give him the direction of the little brotherhood. Nothing was farther from his thoughts, or theirs, than the idea of separation from the church; they were, indeed, completely high church in their principles and practices, with a certain leaning to popery which they had contracted from Thomas a Kempis, or, perhaps, from Law, and which led them into excesses of religious severity on which Wesley himself, in after life, looked back with some regret, and which absolutely terminated in the madness and death of one of their members, a Mr. Morgan. It was impossible that singularity of this kind, to which John Wesley added a remarkable plainness of dress, and an unusual manner of wearing his long flaxen hair, should not attract the notice, and draw down the indiscriminating ridicule of the young men by whom they were surrounded; and the name of methodists, (a term not taken, as is generally supposed, from the ancient school of physicians so called, but from a religious sect among the puritans of the 17th century,) was the least offensive and the most lasting of the many terms of mockery which were applied to them. But it is not true, (as has been often asserted,) that they were in any way molested by the public authorities either of the University or of the Church of England. Such a notion has, apparently, no better ground than a report, which at one time prevailed among the under-graduates, that 'the Dean and Censors of Christ Church were going to break up the *godly club*.' It is certain, however, that no interference of this kind took place, even when it might have been justified by the death of Mr. Morgan, and the reports by which that event was accompanied; on the contrary, they had the sanction and approbation of the Bishop of Oxford, in their practice of visiting and instructing the inhabitants of the Prison and Hospitals. They were all admitted to orders without difficulty or opposition, (Whitefield with particular favour and kindness by Benson, Bishop of Gloucester,) and their character for unusual piety was so far from being injurious to them, that it seems, in every instance, to have conciliated the good will of their ecclesiastical superiors, till they excited opposition by doctrines decidedly at variance with the prevailing opinions of the church.

Wesley

Wesley had, at this time, an offer of the living of Epworth on his father's resignation, and the good old man, who was now on the brink of the grave, was very anxious that it should be accepted, not only for his son's sake, but that the good which he had himself done there might be perpetuated and extended by a successor of the same principles and piety, and that his wife and younger children might continue, after his death, to find a home in the house where they had so long resided. But the young ascetic was immoveable either by the wishes of his parents or the arguments of his elder brother Samuel. He had imbibed a strong apprehension of the responsibility and temptations incident to the care of a parish and the intercourse with the world which it rendered necessary. He spoke as if his salvation was absolutely impossible except in that species of monastic life which he enjoyed with his devout associates at Oxford, 'who had only one work to do on earth; who had absolutely devoted themselves to God, and took up their cross daily.' He shrunk in alarm from the charge of such a population as that of Epworth, exclaiming, 'Two thousand souls! I see not how any man living can take care of a hundred!' And above all, he said, that it was absolutely necessary for every Christian to suffer contempt, and that this was an advantage which he enjoyed to the full among those of his own age in Oxford.

These arguments are, certainly, more characteristic of the man, than creditable to his judgment. It argued a mistrust of the divine protection as much as of his own strength, to suppose that more was necessary for the very being of his Christian life, than for the salvation of all the parish priests in England. 'If contempt were so necessary to him' (his brother Samuel smartly observed) 'he had only to go down to Epworth, where a course of singularities similar to those which he had practised at Oxford, would ensure his being, 'in a competent time, despised as much as his heart could wish.' But he argued, with more force, that 'a man must be esteemed in order to be useful;' and, if contempt were necessary to salvation, it is certain that Wesley himself was not saved, since, during by far the greater part of his life, he enjoyed an extent of power and popularity substantially greater than all the bishops in England put together.

There is, in fact, no greater mistake, though, among austere and secluded religionists it is by no means an uncommon one, than that which supposes the persecution and mockery of the world to be a *necessary* not an *incidental* consequence of a sincere profession of Christianity, and that the esteem of men is not merely *dangerous* to, but absolutely *incompatible* with true religion. This opinion has had the effect of encouraging many in singularities highly injurious to the cause of truth, and in a spiritual pride yet more

more dangerous to themselves, when they have magnified into persecution every little grievance to which, in their journey through life, the saint and the sinner are alike exposed; or when they have placed to the account of religion, those affronts which they have brought on themselves, and fancied that they were bearing the cross, when they merely suffered the consequences of their personal folly or vanity. And it has on the other hand, occasioned much severe and groundless disquietude to men of humble tempers and inoffensive deportment, who have been alarmed and surprised at finding themselves treated with respect and esteem, where they expected nothing but obloquy and injury. When we are cautioned to 'let our light shine before men that they may see our good works,' and 'to provide all things honest and of good report in the sight of all men,' it might be reasonably inferred that the prospects which are here held out of conciliating the good opinion of the world, were not altogether illusory, even if we were not elsewhere informed that, generally speaking, no one is likely to harm us, 'if we be followers of that which is good.' But as persecutions and obloquy, for the sake of religion, are *really* borne by many, and may *possibly* come to all, it is fit that all should be disciplined to expect and to endure them; and this, as we conceive, is the true and the only intelligible purport of the cautions of our Saviour. It is wise in him who prepares a young mariner for the duties of his profession, to describe to him before hand those storms which he must look to encounter; but it is neither wise nor grateful in him whose voyage has been calm and prosperous, to magnify every ruffling air into St. Paul's Euroclydon, or to impute to the severity of the weather and the frowns of Providence those accidents which have arisen from nothing but his own bad seamanship.

As Wesley had made the whole affair a matter of religious casuistry, he appears to have paid no attention whatever to that which was uppermost in his father's mind, the interest of his mother and sisters. Yet when, sometime after, he was offered by Dr. Burton, the head of Corpus Christi College, the situation of chaplain and missionary in the new colony founded in Georgia by General Oglethorpe, he declined the offer, not only on those general grounds which had determined him to prefer Oxford to Epworth, but from an unwillingness to leave England during his mother's lifetime, alleging that he was 'the staff of her old age.' That high minded woman, however, herself put an end to his scruples, declaring that, 'if she had twenty sons, she should rejoice that they were all so employed, though she should never see them more.' His father was already dead, having enjoyed in a degree hardly to be surpassed, that calm and rational hope, which is the true euthanasia of a Christian.

In Wesley's voyage to Georgia he was accompanied by his brother Charles, whom he had himself persuaded to enter into orders, and, contrary to the advice of Samuel (who seems to have feared that they would, by their mutual encouragement and example, foment that spirit of fanaticism which was the besetting danger of both,) to embark with him in his plan of converting the Indians. Charles, however, had no regular appointment as chaplain or missionary, and went out as private secretary to the Governor. John Wesley was, at this time, a confirmed ascetic to a degree which he never afterwards was. 'He had only,' (say his official biographers Dr. Coke and Mr. Moore,) 'attained to the spirit of bondage unto fear, and he found that all his senses were ready to betray him into sin, upon every exercise of them.' He, accordingly, left off the use of flesh and wine, relinquished one meal in the day, and slept on the floor instead of the bed of his cabin. He wrote in a spirit of similar austerity to his brother Samuel, exhorting him to banish the classic authors from his school and substitute the Christian works. He did not, however, himself neglect the help and guidance of learning in his scriptural studies, since every morning, from five to seven, he read the sacred volume, carefully comparing it with the writings of the earliest ages, 'that he might not lean to his own understanding.' Well had it been, had he always attended to such guides with equal diligence!

When Wesley accepted the situation of chaplain to the colony, he seems to have supposed that his labours would be more among the Indians than the settlers. The duties and difficulties of a missionary were then but very imperfectly known among Protestants; and he pleased himself with the idea that he should preach to 'a people not yet beguiled by philosophy and vain deceit; and enforce to them the plain truth of God, without its being softened and rendered useless by the comments of men.' In his first interview with Tomo-Chichi, the chief of the Creek nation, he seems to have well understood how to address them in their own figurative and impressive manner. But to employ this talent to any general good effect, it was necessary to learn their language, and, strange as it may seem, Wesley never attempted this. He found, indeed, abundant occupation among the Christians of Georgia, and was easily induced, by successive trifling obstacles, to abandon all thoughts of that conversion of the heathen, which had been his main object in leaving England.

His reception on commencing his public labours as chaplain was extremely encouraging. The inhabitants of Savannah attended church with laudable exactness, even on week days, and to the neglect of those amusements which were previously most fashionable in the place. Wesley obtained some signal triumphs over the pride

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of rank and the love of dress both in his charity school and in his adult congregation; and though a clergyman who does his duty faithfully, may always lay his account to meet with occasional opposition and disappointment amid the motley crowd of a new colony, it is probable that he might have done abundant good, had he been content to attempt it in an usual manner, and had he borne in mind the wise counsel of Dr. Burton, to consider his parishioners as babes in their progress, and therefore to feed them with milk instead of strong meat.

But Wesley was now a high churchman of the most intolerant character. In his zeal for the letter of the rubric he insisted on baptizing children by immersion instead of sprinkling. He refused to read the burial service over a dissenter, and repelled from the communion one of the most pious men in the colony, because he had been brought up a nonconformist, and would not submit to be rebaptized by an episcopally ordained minister. Following the original appointment of the church rather than its modern practice, he separated the morning service from the communion, performing them at different hours; but what gave most offence, was his making his sermons so many satires on particular persons. All the quarrels of the town were, at length, imputed to his intermeddling conduct, and his scruples and peculiarities so perplexed the people, that they said (as a plain speaker told Wesley) that they could not tell whether he were Protestant or Papist, having never heard of such a religion before.

The strangest, however, of all his actions, either in Georgia or during the whole course of his life, was his behaviour respecting a certain Miss Causton, the niece of the chief magistrate of the colony, to whom, after a long religious flirtation originally promoted by Oglethorpe, Wesley proposed marriage against the advice of most of his religious friends in the colony. Unexpectedly the lady rejected him, and was, shortly after, married to a Mr. Williamson. Wesley, however, still seems to have watched over her spiritual welfare with a peculiar and jealous anxiety, till, after some little quarrels, the result of advice obtruded on the one hand, and rejected, perhaps indignantly, on the other, he thought fit to repel her from the communion, till she should openly declare herself to have repented of certain faults which, without publicly stating them, he professed to have observed in her conduct. This unusual procedure set the whole colony in a flame. The lady miscarried; and though she had the justice or the generosity to impute the accident to another cause, her friends were anxious to have it believed the consequence of the chaplain's bigotry. She was induced, however, to make an affidavit that Wesley had repeatedly offered her marriage, which was couched in language well calculated to produce a suspicion beyond what it absolutely

asserted. Her uncle, the recorder, till now the firm friend of Wesley, resorted to all means, fair or unfair, to blacken and destroy his character. Parts of the letters which had passed between him and Mrs. Williamson, during the long course of their affection and intimacy, were publicly read in different companies, with such comments as were most likely to produce an effect unfavourable to the writer; and a grand jury was induced by Causton's influence, to find a bill of indictment against him, containing ten counts, of which the first was for speaking and writing to Mrs. Williamson without her husband's consent,—the others related to his repelling her from the communion, his division of the service, and his conduct respecting baptisms and burials.

Wesley met these hostilities with spirit and dignity. Such parts of the charge as referred to his ecclesiastical conduct he refused to give an account of before any tribunal but that of his ecclesiastical superiors. That which related to his correspondence with Mrs. Williamson he desired might be tried as soon as possible. Nor was it till after four months had elapsed without any progress being made, that he finally determined, with the general concurrence of his friends in the colony, to leave a place where he had no longer any hope of rendering service to religion.

But whatever credit may be given to Wesley's firmness and disinterested zeal, it will hardly be denied that his conduct in Georgia was marked by a want of sound judgment, which would have argued, if we had not known his subsequent history, a person actually frantic. We will not lay any particular stress on his bigotry towards dissenters. There have always been some few of the high church party (though the great majority of learning and authority has been uniformly on the other side) who have denied the validity of baptism when administered by persons not episcopally ordained. But, in repelling Mrs. Williamson from the communion for an offence not specified, the rubric by which he professed to be guided, no less than the reason of the case, and the general practice of the Christian church, was decidedly against him. The power of repelling '*open and notorious evil livers*' from the sacrament is given to the priest, lest '*the congregation be offended.*' It is only for faults which may be made public, that spiritual censures of any kind may be pronounced. The priest has no right, for he has no opportunity or occasion, to interfere between man and his Maker, except where the openness of the offence makes the church a party aggrieved, or where the criminals, as in the case of auricular confession, submit themselves to his judgment and correction. But Mrs. Williamson does not appear to have stood in either of these predicaments; and, whatever Wesley might have individually known or believed to her disadvantage, though it might

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be his duty, in point of charity, to exhort her, in private 'to repent her of her sins, or else come not to that holy sacrament,' yet if she still chose to attend, as the risque was hers alone, so she was answerable to no other master than Him by whom Judas himself was not openly repelled from that mystery. That it was not Wesley's piety alone which rendered him obnoxious in Georgia, is, indeed, apparent from the fact that Whitefield, immediately after him, enjoyed more peace and popularity here than in any other scene of his labours. And it is strange and revolting to see Wesley, on leaving a place which he had himself, by his own want of judgment, made too hot to hold him, assuming the air of an apostle persecuted for the sake of the gospel, and going through that ceremony of 'shaking the dust from his feet,' which even an apostle dared not have done without a divine commission, and which, if he meant any thing by it at all, was to devote the inhabitants of Savannah to everlasting destruction!

As yet Wesley has been seen in the character of an over-zealous high churchman only. But, during his stay in the Western Continent, the beginning had been laid of an influence foreign to the church of England, which for several years continued to produce very remarkable effects on his conduct and opinions. In the vessel which conveyed himself and his associates to America were several families of the Moravians, or (as they call themselves) the United Brethren, who, under the patronage of government, were proceeding to join some of their society already established in Georgia. During the voyage, which was tedious and stormy, Wesley had been greatly impressed and affected by their humility, meekness, and patience.

Those servile offices, which none of the English would perform for the other passengers, they offered themselves to undertake, and would receive no recompense; saying, it was good for their proud hearts, and their Saviour had done more for them. No injury could move their meekness; if they were struck or thrown down, they made no complaint, nor suffered the slightest indication of resentment to appear. Wesley was curious to see whether they were equally delivered from the spirit of fear, and this he had an opportunity of ascertaining. In the midst of the psalm with which they began their service, the sea broke over, split the main-sail, covered the ship, and poured in between the decks, as if, he says, the great deep had already swallowed us up. A dreadful screaming was heard among the English colonists: the Moravians calmly sung on. Wesley afterwards asked one of them, if he was not afraid at that time. He replied, "I thank God, no." He was then asked if the women and children were not afraid. His answer was, "No; our women and children are not afraid to die."—vol. i. p. 81.

This good opinion was confirmed by all which he observed in their conduct and manners after his arrival in the new world. The

simplicity and solemnity of their forms of worship, more particularly on the election and ordination of a bishop, appeared to him a lively image of primitive Christianity. He reckoned a temporary absence from his English friends richly overpaid by being admitted to the fellowship of the Moravian church; and he shewed in a remarkable manner his high respect for them, by referring to their decision, though he was, after all, not able to give up his inclinations to their authority, whether or no he should seek the fair Sophia Causton in marriage. From them, even now, he had adopted the most absurd and presumptuous of their peculiarities, the practice of referring important questions in faith, in piety, or worldly prudence, to the decision of a lot, or of a passage in Scripture fortuitously opened: and he was still more disposed to become their pupil on his arrival in England, from certain conclusions which he formed during his homeward voyage, as to his present state of blindness and imperfection. There was, necessarily, much on his mind, during that voyage, to depress and agitate his spirits, in the recollection of the obloquy he had lately passed through, in the doubt which could not but arise as to the wisdom or correctness of many circumstances of his behaviour, and in the disappointment of the schemes which he had laid down, and the hopes with which he had quitted England. He had done nothing of all those things which had been the objects of his voyage; and, with talents of which he well knew the value, and a zeal which, if left without employment, was sure to devour its possessor, he had no regular channel of utility before him sufficiently extensive and conspicuous to gratify his ardent and ambitious character. To do good in the usual way was not what suited him. He desired (as William Law once told him) to 'convert the world;' and he had not paid sufficient attention to the wise counsel with which Law had followed up this picture of his character, that it became him to 'wait God's time,' and to be content to serve him with thankfulness in whatever situation, however obscure and lowly, he might please to make use of his services.

But, while thus labouring under the uneasiness of ambition without a proper vent, he had other causes of disquietude. Like many other men of ardent imagination, he was constitutionally timorous and subject to strong impressions of bodily fear, for which, in his situation on ship board, where he had little to do but to watch his own sensations, (a morbid habit at the best,) he seems to have found frequent occasion. During these times it is singular that he was sometimes afflicted with uneasy doubts, not only as to his own spiritual state, but as to the truth of the religion for which he had made so many sacrifices. His natural good sense, indeed, at first, reminded him that this fear of death was a *trial*, not a *sin*, that

that he was 'to look upon it as his cross, when it came, to let it humble him and quicken all his good resolutions, especially that of praying without ceasing; and at other times to take no thought about it, but quietly to go on in the work of the Lord.' But his nerves were not in a fit state to be governed by his better reason: he compared his present uneasiness with the tranquillity of the Moravians, and, forgetting that these Moravians had been occupied, and therefore tranquil, he began to fancy that his faith was to blame, and that it was not enough to believe that Christ died for the sins of *all* men, and, therefore, of the man John Wesley; but that he needed a *personal and perfect assurance* of his own acceptance with God, which was to free him at once from all sin, all doubt, and all fear. Such an assurance was taught by some of the Moravian preachers of that time, (though the present leaders of that people have got rid of much which was absurd or obnoxious in the tenets of their founders,) and it was taught by none with greater zeal or eloquence than by a German named Peter Boehler, whose constant auditor and humble disciple Wesley became on his arrival in London. When Boehler, however, told him that this faith must be an *instantaneous*, as well as a free and direct operation of God's spirit on the mind, the reason of Wesley still revolted and provoked from the Moravian the reproof. '*Mi frater, mi frater, excoquenda est ista tua philosophia.*' But by this time, the impression was made, and, after a little longer self-torment, by seeking a degree of confidence in his soul which he could not find there, he felt, as he himself tells us, 'his heart strangely warmed, he felt that he *did* trust in Christ, Christ alone, for salvation; and an assurance was given him that he had taken away his sins.'

This is pretty nearly the process of what Wesley himself called his conversion, a term to which, even on his own shewing, it had apparently very little claim. From what was he converted? and to what? From a dissolute course of life? That no one would have ventured to lay to his charge. From wrath, envy, malice? This he does not so much as insinuate. From a trust in his own merits? His own previous self-condemnation is a proof that he placed no confidence in them. From doubts of the truth of the Christian religion? These he already knew how to conquer, by regarding them as temptations, and making them additional motives for humility, watchfulness, and prayer. What new truths did he now acquire or assent to? That Christ died for *his* sins? Christ died for the sins of *all* who seek salvation through him; and, if his heart condemned him not, but bore witness, as it must have done, that he did thus seek it, then the spirit of God, undoubtedly, bore witness with his spirit, that he was one of those to whom

the promises of the Gospel were addressed. How little analogy did his case offer to those conversions which are recorded in the New Testament, and on which he laid so much stress as being, like his own, *instantaneous*! With the term *instantaneous* we have no disposition to quarrel. A man must begin to believe at some time or other; and if the truths of Christianity are first impressed on his heart after he arrives at years of discretion, he may, beyond a doubt, remember, in certain cases, the very day and hour in which he first received conviction. And this must necessarily have been the case when men were converted, as in the early days of Christianity, from an utter ignorance of Christ, or an utter hatred of his name, not by the gradual process of ratiocination and frequent discussion, by arguments frequently recalled, and prayer for divine illumination long persevered in, but by the effect of some single striking discourse, or the sight of some undoubted and conspicuous miracle. The only danger is lest, by making that circumstance a necessary mark of conversion which was, in fact, only an incidental accompaniment of it, we should presumptuously confine the Grace of God to a single mode of operation, and exclude from our scheme that which is, probably, the most common of all his dispensations, wherein the seed sown at baptism grows up thenceforth, through the means of education and example, and by the continually renewed though silent influences of that Spirit by whom we were then first sanctified.

But in whatever manner our conversion is brought about, the *conversion* implies a real and almost total change of heart and habits. And what change took place in Wesley at this time, excepting that he felt more comfortable in himself, and more satisfied with his own spiritual condition? If he were unreasonably distressed before, this might indeed be an effect of grace, and a merciful deliverance from certain temptations which previously beset his Christian course: but it is plain that so far from being the *beginning* of that course it was not even necessary to its *accomplishment*; since even if he had died while under the influence of his former low spirits, no one would say that his condition would have been either dangerous or doubtful. And to preach that such a change as this, in opposition to the work of God's spirit in baptism, is the regeneration spoken of in Scripture, and that no man can be saved without such an immediate and perceptible work of God's spirit on the soul; is in effect, to revive the worst error of the Mystics, and to lead men to judge of their own condition, not by the testimony of conscience and Scripture, but by feelings and raptures which, as Wesley himself admitted, in the case of the French prophets, were of 'a doubtful and disputable nature.' The point was, in fact, abandoned by the founder of methodism in his old age, when he confessed that

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he had not 'for many years, thought a *consciousness of acceptance to be essential to justifying faith.*' And how uncertain and how transient is the comfort which, even in the present life, such rapturous persuasions usually afford, may be learned from his own example. So far was he from being really *assured* by his fancied assurance, so far was he from being set free from all troublesome doubts and filled with all joy and peace in believing, that we find him first flying to Germany, to get rid, at the spring-head of Moravianism, of the uneasy thoughts by which he was 'sawn asunder,' and thence returning to England still dissatisfied. Nor was it till his mind had become fully occupied with a great and novel enterprize, of which the object, whether wisely pursued or no, was God's glory and the good of mankind, that his ambition and his talents found the vent which they required, and that, amid the varied stimulants of opposition and success, persecution and popularity, his character recovered its cheerful tone, and he went on his way rejoicing. Let us not be suspected of undervaluing that comfort and internal peace which the world cannot give, and which are, generally speaking, the portion of men so sincerely pious as Wesley was. But it is of consequence that all pious persons should be aware that, if we are idle, even religion cannot make us happy, and that the most certain cure for low spirits and constitutional dejection is the zealous discharge of our active and social duties, in conjunction with and springing from religion.

During his visit to Germany, Wesley saw some reasons to withdraw his confidence from his Moravian teachers. Of that religious community, Mr. Southey, we understand, has been accused of speaking with undue severity. We know not how he has deserved this charge. The peculiarities of their doctrine and discipline were necessarily to be mentioned as connected with the life of Wesley. He was bound, in fairness, as an historian, to notice whatever was blameable in either, and we do not see how he could do otherwise than reprobate institutions, which, when carried into effect to their utmost strictness, had a natural tendency to dissolve the relation between parents and children, brothers and sisters, and to substitute the discipline of a convent for the graces and charities of social and domestic life. We think, however, that he refines too far on the consequences of that system by which human beings were sorted like cabbage plants, and shut up in different wards of the same vast hospital, according to their ages, sexes and conditions; when he ascribes to this cause those fanatical expressions and indecent images which, in the last generation, polluted the devotional works of the Moravians, and which have been subjects of shame and sorrow to their more enlightened descendants. It is true that, in a society where the youth of both sexes seldom

saw and never conversed with each other, where mutual inclination, even where it was excited, was not consulted in their marriages, and where man and wife were coupled by the selection of the clergy, or by the decision of a lot, there could be nothing resembling love in its ideal sense. And it is probable that, wherever this separation of the sexes is found, a certain grossness of feeling and expression will be found also. But, on the other hand, that this separation does not necessarily lead to those filthy refinements in imagery of which the early Moravians were guilty, is proved by the fact that the modern Moravians, though living under the same discipline, are free from the offence; and that other sects to whom that discipline is unknown have fallen into the same error. The young lady whose orgasm of amorous piety is mentioned by Mr. Southey, vol. i. p. 225, was no Moravian, neither was the author of the nauseous ballad, of which he has given an extract, addressed to 'virgins and widows.' Nor should it be omitted that the devout Mrs. Rowe, in her poems published before the appearance of either Wesley or the Moravians, has talked, if we are not mistaken, in a manner little less objectionable, of her *passion* for Him whom angels adore; nor that similar flights occur continually in the hagiology of the Romish church. The truth is that, at a certain stage of enthusiasm, a temptation to grossness always supervenes, and, by whatever means the spirits are raised beyond their moderate level, their exaltation must necessarily border on that which is produced by the strongest of our animal passions. The language of Solomon's song is a precedent but too easily laid hold of by persons thus situated. But, however it may be supposed to apply to the mutual affection and relation between Christ and the *Universal Church*, (allegorically represented as a single virgin,) it is the most perilous and deadly downfal to which piety can be led by enthusiasm, to apply such images and such language to cases of *individual* conversion, or to use them as patterns and guides of individual devotion and meditation.

But though the Moravians, more than most other sects with which we are acquainted, were at one time guilty of this abuse, (an abuse which their patron, Count Zinzendorf, was himself too prone to encourage in them,) it would be a great mistake to suppose either that their morals were corrupt or that they are still chargeable with the faults of their fathers.

'Fortunately for themselves, and for that part of the heathen world among whom they have laboured, and still are labouring with exemplary devotion, the Moravians were taught by their assailants to correct this perilous error in time. They were an innocent people, and could therefore with serenity oppose the testimony of their lives to the tremendous charges which, upon the authority of their own writings,

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writings, were brought against them. And then first seeing the offensiveness, if not the danger of the loathsome and impious extravagancies into which they had been betrayed, they corrected their books and their language; and from that time they have continued not merely to live without reproach, but to enjoy in a greater degree than any other sect, the general good opinion of every other religious community.—vol. i. pp. 204, 205.

But it is remarkable that, though the Moravians in Wesley's time were in the high tide of their enthusiasm, yet it was neither this abuse nor their other reprehensible customs which offended him. Mr. Southey attributes this to his ignorance of German; but he had acquired, one would think, in Georgia, a sufficient acquaintance with that language to detect a fault which lay on the surface of all their writings and daily conversation. The truth seems to be, that he was himself at that time in a state of mind which symbolized too well with such expressions to be much offended at them; though, in his latter days, and when mutual opposition had made him think ill of every thing which belonged to his former friends, he, with the same dismal want of candour which distinguished Augustine in his contest with the Manichees, added the weight of his own *knowledge* and authority to the calumnies circulated by Rimius. But, be this as it may, his complaints against them related chiefly to the supremacy exercised by Zinzendorf, a supremacy which Wesley was likely to brook in no man, though he afterwards, in his own person, was guilty of the very fault which he reprobated in another. The breach once made was widened after his return to London by the spirit of Mysticism which at that time prevailed among the Moravian congregation there, (a spirit of which Wesley justly complained,) and by the still stranger notion, which Wesley himself imbibed, of the possibility of sinless perfection being attained by man in his present state of existence. Zinzendorf, in a visit which he paid to England, laboured to convince him of this error with more learning and acuteness than success. They parted with mutual recriminations, and Wesley never afterwards mentioned the Count without some scornful allusion to his family pride or Jesuitical policy, though he always did justice to his talents and the variety of his attainments.

But while Wesley was thus gradually shaking off all dependance on any other religious leader, circumstances were rapidly preparing the way for the establishment of a society of which he himself was to be the founder and dictator. His brother Charles, of whom we have so long lost sight, had quitted America before him with dispatches from General Oglethorpe. His stay in Georgia had been chiefly remarkable for his quarrel with this last-named

named personage; who treated him, during a dangerous illness, with a brutal tyranny of which there are few examples. Yet shortly afterwards, when Oglethorpe was setting out on a military expedition, he evinced his regard for his secretary in an interview singularly characteristic of both parties.

'The governor began by saying he had taken some pains to satisfy his brother, but in vain. "It matters not," said he. "I am now going to death: you will see me no more. Take this ring, and carry it to Mr. V.: if there be a friend to depend on, he is one. His interest is next to Sir Robert's: whatever you ask within his power, he will do for you, your brother and family. I have expected death for some days. These letters show that the Spaniards have long been seducing our allies, and intend to cut us off at a blow. I fall by my friends on whom I depended to send their promised succours. But death is nothing to me: he will pursue all my designs, and to him I recommend them and you." He then gave him a diamond ring. Charles Wesley, who had little expected such an address, took it, and replied, "If I am speaking to you for the last time, hear what you will quickly know to be a truth, as soon as you are entered on a separate state. This ring I shall never make use of for myself. I have no worldly hopes: I have renounced the world: life is bitterness to me; I came hither to lay it down. You have been deceived as well as I. I protest my innocence of the crimes I am charged with, and think myself now at liberty to tell you what I thought never to have uttered." The explanation into which he then entered, so satisfied Oglethorpe, that his feelings were entirely changed: all his old love and confidence returned; and he embraced Charles and kissed him with the most cordial affection. They went together to the boat, where he waited some minutes for his sword: a mourning sword was twice brought him, which he twice refused to take; at last they brought his own: it had been his father's. "With this sword," said he, "I was never yet unsuccessful." When the boat pushed off, Charles Wesley ran along the shore to see the last of him. Oglethorpe seeing him and two other persons run after him, stopt the boat, and asked if they wanted any thing. One of them, the officer, whom he had left with the command, desired his last orders: Charles then said, "God is with you: go forth *Christo duce et auspice Christo*." Oglethorpe replied, "you have some verses of mine: you there see my thoughts of success." The boat then moved off, and Charles remained praying that God would save him from death, and wash away all his sins.

'On the fifth day, Oglethorpe returned in safety. An enemy's squadron of three large ships, and four smaller, had been for three weeks endeavouring to make a descent, but the wind continued against them till they could wait no longer. Charles returned him the ring. "When I gave it you," said the governor, "I never expected to see you again, but I thought it would be of service to your brother and you. I had many omens of my death, but God has been pleased to preserve a life which was never valuable to me, and yet in the conti-

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nuance of it, I thank God, I can rejoice." He then talked of the strangeness of his deliverance, when betrayed, as it appeared, on all sides, and without human support; and he condemned himself for his late conduct, imputing it, however, to want of time for consideration, and the state of his mind. "I longed, Sir," said Charles, "to see you once more, that I might tell you some things before we finally parted: but then I considered that if you died, you would know them all in a moment." Oglethorpe replied, "I know not whether separate spirits regard our little concerns; if they do, it is as men regard the follies of their childhood, or I my late passionateness."—pp. 104—106.

Charles was even an earlier convert to the doctrine of Boehler than his brother, and preceded him in obtaining those feelings of 'assurance' for which they both sighed so earnestly. He had, during John's absence in Germany, attended some condemned criminals in Newgate, and given to them that comfort and spiritual help which the ordinary (such as ordinaries were in those days) was not likely to administer.* And in London, as formerly in Oxford, he had collected a small society of devout persons who were sufficiently disposed to place themselves under his brother's spiritual direction. But a far mightier instrument had also been at work to open the path before him. Among the original Methodists of Oxford was a youth named George Whitefield, of humble parentage in Bristol, whose mother had been enabled to gratify his zeal for learning, and ardent desire to become a minister of the church, through the help of the little profits afforded by a servitorship at Pembroke College, and some presents made him from time to time by a kind-hearted tutor. During the continuance of that society in the university which we have already described, he surpassed them all in the greatness of his austerities, the intensity of his devotion, and the vehemence with which he laboured after that religious peace, which, in one so truly pious as he was, would have been his portion from the beginning, but for the erroneous notion which he had formed of its nature.

He describes himself as having all sensible comforts withdrawn from him, overwhelmed with a horrible fearfulness and dread, all power of meditation, or even thinking, taken away, his memory gone, his whole soul barren and dry, and his sensations, as he imagined, like those of a man locked up in iron armour. "Whenever I knelt down," he says, "I

* It is, we believe, one of the Wesleys who is represented in Hogarth's execution of the idle apprentice, with long lank hair, praying in the cart with the criminal, while the ordinary follows in a huckney-coach. The poor ordinary, when Charles Wesley thus officiated, seems to have been willing to do his duty if he had known how. 'He would read prayers,' says Charles, 'and he preached most miserably.' And when he offered to get on the cart at the place of execution, the prisoners begged he would not and the mob prevented him. 'What kind of machine,' says Mr. Southey, 'a Newgate ordinary was in those days, may be seen in Fielding: the one who edifies Jonathan Wild with a sermon before the punch comes in, seems to have been drawn from the life.'

felt great pressures both on soul and body; and have often prayed under the weight of them till the sweat came through me. God only knows how many nights I have lain upon my bed, groaning under what I felt. Whole days and weeks have I spent in lying prostrate on the ground in silent or vocal prayer." In this state he began to practise austerities, such as the Romish superstition encourages: he chose the worst food, and affected mean apparel; he made himself remarkable by leaving off powder in his hair, when every one else was powdered, because he thought it unbecoming a penitent; and he wore woollen gloves, a patched gown, and dirty shoes, as visible signs of humility. Such conduct brought upon him contempt, insult, and the more serious consequence, that part of that pay on which he depended for his support, was taken from him by men who did not chuse to be served by so slovenly a servitor. Other excesses injured his health: he would kneel under the trees in Christ Church Walk in silent prayer, shivering the while with cold, till the great bell summoned him to his college for the night: he exposed himself to cold in the morning till his hands were quite black: he kept Lent so strictly, that, except on Saturdays and Sundays, his only food was coarse bread and sage tea without sugar. The end of this was, that before the termination of the forty days, he had scarcely strength enough left to creep up stairs, and was under a physician for many weeks.

'At the close of the severe illness which he had thus brought on himself, a happy change of mind confirmed his returning health;—it may best be related in his own words. He says, "notwithstanding my fit of sickness continued six or seven weeks, I trust I shall have reason to bless God for it through the endless ages of eternity. For, about the end of the seventh week, after having undergone innumerable buffetings of Satan, and many months inexpressible trials, by night and day, under the spirit of bondage, God was pleased at length to remove the heavy load, to enable me to lay hold on his dear Son by a living faith, and, by giving me the spirit of adoption, to seal me, as I humbly hope, even to the day of everlasting redemption. But oh! with what joy, joy unspeakable, even joy that was full of and big with glory, was my soul filled, when the weight of sin went off, and an abiding sense of the pardoning love of God, and a full assurance of faith, broke in upon my disconsolate soul! Surely it was the day of my espousals,—a day to be had in everlasting remembrance. At first, my joys were like a spring tide, and, as it were, overflowed the banks. Go where I would, I could not avoid singing of psalms almost aloud; afterwards, they became more settled, and, blessed be God, saving a few casual intervals, have abode and increased in my soul ever since.—vol. i. pp. 138—140.

He was ordained, at an unusually early age, by Benson, then Bishop of Bristol, an excellent man, who was inspired with much regard for him by his general character, his demeanour at church, and his attention to the poor and the prisoners. The bishop accompanied his ordination with a present of five guineas, a 'great supply,' says Whitefield, 'for one who had not a guinea in the world.'

world.' His first sermon was preached to a crowded audience in the church of his native parish. He had, when a boy, been no contemptible actor, a circumstance which, in his journals, he wishes to be able to record in tears of blood, but which was, probably, of great advantage to him on his first appearance in the pulpit. He had, indeed, many natural advantages.

'He was something above the middle stature, well proportioned, though at that time slender, and remarkable for a native gracefulness of manner. His complexion was very fair, his features regular, his eyes small and lively, of a dark blue colour: in recovering from the measles he had contracted a squint with one of them; but this peculiarity rather rendered the expression of his countenance more memorable, than any degree lessened the effect of its uncommon sweetness. His voice excelled both in melody and compass, and its fine modulations were happily accompanied by that grace of action which he possessed in an eminent degree, and which has been said to be the chief requisite of an orator. An ignorant man described his eloquence oddly but strikingly, when he said, that Mr. Whitefield preached like a lion. So strange a comparison conveyed no unapt a notion of the force and vehemence and passion of that oratory which awed the hearers, and made them tremble like Felix before the apostle. For believing himself to be the messenger of God, commissioned to call sinners to repentance, he spoke as one conscious of his high credentials, with authority and power; yet in all his discourses there was a fervent and melting charity, an earnestness of persuasion, an outpouring of redundant love, partaking the virtue of that faith from which it flowed, inasmuch as it seemed to enter the heart which it pierced, and to heal it as with balm.—vol. i. p. 150.

With all these engaging qualities he had neither the talents nor the learning, nor, we may add, the ambition of Wesley. His printed works are miserable trash, both in style and argument. In judgment he was, through life, a mere child; and it should be said to his honour, that, amid all his popularity, no desire of power, or self-aggrandizement, was ever discernible in him. It was, perhaps, this simplicity of character which mainly contributed to the success of his eloquence. His sermons, both in Gloucester, Bristol, and London, were attended by crowds, such as no other preacher ever brought together; he was invited to officiate in every church where a charity sermon was wanted, and when he delivered his farewell sermon, on being appointed chaplain in Georgia by the same patrons who had nominated Wesley, the whole congregation are said to have wept and sobbed aloud; while, as his connexion with the methodists of Oxford was well known, and as Wesley was universally regarded as the head of the community, the success of his oratory had a natural effect to excite the curiosity of the world, and to impress them favourably towards the master himself, whose pupil

pupil was so widely popular. It was remarkable too, that though Whitefield was already a Calvinist and an enthusiast, he was not yet a fanatic; his sermons, though sometimes they touched on unpopular topics, were not calculated in general to offend any description of persons, and he went to Georgia with the unabated approbation, not only of his friend Bishop Benson, but of Gibson, Bishop of London, and Archbishop Potter. The vessel which carried him out passed Wesley's ship in the Downs. The friends could have no personal interview, but Wesley, who had some reason for disliking America, was anxious to keep the other back from his voyage thither, and, having had recourse to his usual presumptuous custom of sortilege, sent him a note declaring, as from God, that he ought to turn back. Whitefield disregarded the omen, and found so much reason to be pleased with the people of Savannah, that he afterwards, in the course of a printed controversy with Wesley, reproached him with this failure of his divination, as a good proof of the vanity of thus tempting God. He, however, remained in Georgia only three months; he then returned to England to raise money for the erection of an orphan house in the colony, and arrived in time to co-operate in Wesley's plans, and to carry them to an extent which Wesley himself had never contemplated.

The two brothers, in the mean time, had been advancing rapidly in popularity and influence. There were, indeed, some churches where, having been once admitted to preach, John Wesley gave so much reasonable offence by the sort of new birth which he insisted on as necessary to salvation, that he was informed that he must preach there no more. And he was well and wisely warned by his ancient monitor William Law, to whom he now, in turn, addressed a letter of reproof for not having taught an 'efficient faith,' that 'the head can as easily amuse itself with a *living and justifying faith* in the blood of Jesus, as with any other notion, and the heart, as being the seat of self-love, is more deceitful than the head.' But he was not now in a state of mind to be reasoned with, and treated with equal neglect the sensible remonstrances of his brother Samuel, and the advice of the Archbishop and Bishop of London, two wise and good men, whose counsels (those of the latter particularly) John Wesley, in his old age, was accustomed to look back to with considerable respect, and, perhaps, with some little compunction. But among the lower and middling orders of society, Wesley's popularity was great, and the effects which he produced were well calculated to encourage him in the course which he was pursuing.

The meetings of which we have already spoken, soon became numerous and crowded. They were not new in London; since something

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something of the same kind had been previously set on foot, under the name of Religious Societies, to promote an adherence to the church, and the practice of Christian duties, of which the pious Nelson had been, in his day, a distinguished promoter and defender, and which the Bishops and the greater part of the London Clergy for some time continued to favour. But the meetings of the Methodists were prolonged till midnight, and even through the night; they had adopted the old exceptionable name of *Love Feasts*, and they encouraged each other in excesses of devotion, which, if they found the mind sane, were not likely long to leave it so. The consequence was, that not only the Governors of the Church, but many pious and moderate men among the inferior Clergy, who would have gladly promoted any unobjectionable scheme for the revival of piety, withdrew their co-operation and countenance from men who avowedly set all decorum at defiance, and who exclaimed, as John Wesley does in his journal, 'God deliver me and all that seek him in sincerity, from what the world calls *Christian prudence*.' It is strange, however, that at the moment when the brothers were thus gradually detaching themselves from the Church, they were still, in theory, such excessive High Church-men that they endeavoured to make the revival of the weekly fast on Friday obligatory on all their disciples, and quarrelled with Bishop Gibson because he did not approve of rebaptizing Dissenters.

By men so fully impressed with the truth and importance of those doctrines which they had to deliver, while their conduct had a necessary tendency to deprive them of any regular opportunities of delivering it, the establishment of separate places of worship could not have been long delayed; yet neither the erection of chapels, nor field-preaching, nor itinerancy had their commencement with Wesley himself. Whitefield had already, for some time, been practising something like the last, in his frequent visits to Gloucester and Bristol. The possibility of preaching in the open air had been suggested to him by the crowds which vainly attempted to gain entrance into the churches where he officiated; and a deep sense of compassion for the neglected ignorance of the poor colliers at Kingswood, near Bristol, a populous district without either place of worship or minister, determined him, on Saturday, February 17, 1739, to address as many as came together on a Mount called Rose Green. The congregation the first day was small; a beginning was, however, made, and the novelty of the practice, added to the previous popularity of the preacher, brought the neighbourhood together in thousands.

'The deep silence of his rude auditors was the first proof that he had impressed them; and it may be well imagined how greatly the consciousness

sciousness and confidence of his own powers must have been increased, when, as he says, he saw the white gutters made by the tears which plentifully fell down their black cheeks—black as they came out of their coal-pits. "The open firmament above me," says he, "the prospect of the adjacent fields, with the sight of thousands and thousands, some in coaches, some on horseback, and some in the trees, and at times all affected and drenched in tears together; to which sometimes was added the solemnity of the approaching evening, was almost too much for, and quite overcame me."—vol. i. p. 236.

Till now we have seen that the governing authorities of the church, far from being unfriendly to the methodists, had done almost every thing in their power to conciliate and render them useful. Whitefield in particular had been a sort of favourite, and he had been instituted just before, by the Primate and the Bishop of London, to the Rectory of Savannah in Georgia. Now, however, the Chancellor of Bristol prohibited him from preaching within the bounds of that diocese; and Whitefield, who determined to persevere, and had a considerable longing to be persecuted, began to talk of looking for nothing but afflictions and bonds; of some protestants being as ready as papists to breathe out not only threatenings but *slaughters*, and of his joy in the prospect of resisting unto blood for the truths of religion.

The expectations which this ardent enthusiasm produced in Whitefield were generated in Wesley, about the same time, by his strange predilection for divination by the *Sortes Biblicæ*. Whitefield was soon to return to Georgia, and begged him to come down to Bristol to keep up, in his absence, the impression which he had made in its neighbourhood. Wesley opened his Bible at a hazard to know the event of his journey; nor could any texts have been more dismally discouraging than those which he thus stumbled on; all were about death, or burial, or suffering for the sake of Christ. The journey would have been abandoned had not Wesley appealed from the Bible to the Moravian plan of casting lots; the dice came up for his going, and so he did, though with a full persuasion that he was to be martyred. Whitefield introduced him to his Kingswood congregation, and gave him, before his own departure, an example of field-preaching, which Wesley, with considerable hesitation, at length resolved to follow, in spite of the Chancellor's inhibition and the authority of the Canons; thus throwing off, in one conspicuous instance at least, his allegiance to the church of which he still professed himself a zealous member.

Yet it may be urged in his favour, that the practice which he thus adopted, and which still prevails wherever the Franciscan and Dominican friars are found, was by no means unexampled in England, and that the circumstances of the times were such as to give

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at least a plausible prospect of advantage from its revival, as well as from the revival of that system of itinerancy which it supposes. During the first centuries of the Saxon Church there were no parochial divisions; the clergy resided in convents adjoining the Bishop's Cathedral, they were sent out from thence to instruct the country people, and administer the duties of religion in the few churches that existed, or, where there was no church, at a cross in the open air. When they had executed their commission they returned, and others went out to perform the same course of duty. To this occasional and precarious instruction succeeded the establishment of resident parish priests, endowed by pious Lords with the tithes of the domain of their patron; and as these became general, itinerancy fell into disuse, till the increasing ignorance and carelessness of the Parochial Clergy gave occasion to its revival in the Christian world by Francis of Assisi, and his followers or imitators, who, with the Pope's full sanction, though somewhat tardily extorted, went forth from their monasteries on foot, and in the garb of ostentatious poverty—*reëdificare ecclesiam quâ lapsura esset.*

The circumstance of this revival, as Mr. Hallam has well observed in his excellent work on the Middle Ages, corresponded, in a very remarkable degree, with the manner in which the cause of modern methodism has been conducted. There was the same affectation of popular eloquence and rustic plainness, the same attacks on the character and doctrines of the Parochial clergy; who, in their turn, complained of the same desertion of their churches and ministry in favour of these uncalled for auxiliaries. Erasmus, in an amusing colloquy, has represented a squabble between a village parson and two mendicant Friars; and the ludicrous ornaments usual in our gothic places of worship, are very frequently caricatures either of the regular or secular clergy, according as the building was devoted to the use of the one or other of these rival bodies. Notwithstanding these vexatious and irritating consequences of the system, it was, no doubt, productive of much advantage to the general power and stability of the Romish Church, and was as beneficial to Christianity itself as the manifold corruptions of that creed, which only the Friars had to teach, could admit of. And though the conduct and doctrine of the begging Friars themselves had become scandalous and contemptible at the time of our English reformation, it was by no means the intention of the original promoters of that measure, however unadvisable subsequent circumstances may have rendered it, to allow the system of itinerancy and field-preaching to fall into disuse and oblivion.

There were, indeed, many reasons why such measures were now even more necessary than ever. The unequal division of parishes,

the immoderate extent and overflowing population of some, and the insufficient maintenance afforded by others; the want of churches in some quarters, and of qualified preachers in many more; these evils which had called for such a subsidiary and equalizing force in the times of popery, were increased to an enormous extent by the profligate and predatory manner in which the reformation had been carried on; by the transfer of so considerable a part of the ecclesiastical revenues into the hands of laymen; by the destruction of so many chantries, and the secularization of so many monasteries. It is, therefore, a well known part of that plan of ecclesiastical policy which the wisdom of Cranmer, and the piety of King Edward, contemplated, that a certain number of divines should travel up and down the country to instruct the people in the true principles of the reformation.* And the measure was adopted, not indeed by appointment of the state, but with full concurrence of the civil and ecclesiastical authorities, in a part of the kingdom where it was greatly wanted, by the excellent Bernard Gilpin. That it was not carried into effect in every diocese is not imputable to the pious fathers of the church who designed it, but to the many misfortunes to which the church was exposed during the persecution which followed under Mary; and it is highly probable that if such a plan had been suggested in the first instance either to Laud, Wake, Potter, or any other of our more able and enlightened primates, they would have at once perceived the advantage of securing so powerful an engine to the service of the church, and employing it to remedy those inconveniences, so far as they admitted of a remedy, which the spoliations of Henry VIII. and the rise of Puritanism had occasioned by detracting from the natural influence of the clergy on the minds of men, and consigning a large share of the population of England to almost inevitable ignorance and brutality. Nor, if Wesley had appeared as the founder of such an order of Predicants, could his name have ever been recollected but as a signal benefactor to the church, and the cause of considerable advantage to England, Ireland, and the world.

The misfortune was, that this, like most other great and important measures, was not a first conception, but a proceeding which accidentally arose from previous circumstances. Those circumstances were of a kind little likely to conciliate that church which such an engine was in itself well suited to extend and strengthen; and, above all, the Wesleys had already disqualified themselves for the patronage and assistance of the Bishops, by their public pro-

* The number actually appointed for this end was six (not four as Mr. Southey (p. 397,) supposes.)—Harley, Bell, Horn, Grindall, Penn, and Knox, the Scottish reformer. See Burnet, *Reform.* p. 111, b. iv. A.D. 1553.

session of an obnoxious tenet, and their open contempt of ecclesiastical subordination. Nor was this the worst; Whitefield, with all his enthusiasm, produced no extravagancies in his hearers; but Wesley, on whom, when Whitefield returned to Georgia, the whole conduct of the machine devolved, was not only an enthusiast himself, but the cause of still greater enthusiasm in others, and had the unhappy art of inoculating his audience with convulsions and frenzy, surpassing the most extraordinary symptoms to which animal magnetism has given rise, and calculated more than any other possible occurrence, short of actual criminality, to alarm and disgust the rational friends of religion, and to bring disgrace on the name of the Christian religion itself. Violent outcries, howling, gnashing of teeth, frightful convulsions, frenzy, blasphemy, epileptic and apoplectic symptoms were excited in turn on different individuals in the Methodist congregations. Cries were heard in their Love Feasts as of people being put to the sword; and the ravings of despair, which seemed to arise from an actual foretaste of torment, were strangely blended with rapturous shouts of 'glory! glory!' These strange symptoms were, at first, variously accounted for, according to the different prejudices and predilections of men, as proceeding from imposture, from the heat and crowded state of their meeting houses, the perceptible influence of the Holy Ghost, or the agency of evil spirits. Wesley referred all the cases, without exception, to one or other of the two last-named causes, and rested his conviction of the fact on what he called ocular demonstration. From imposture very many of the cases might be satisfactorily vindicated, and as they occurred indifferently in the open air or in the meeting-houses, the heat of the latter could have nothing to do with the affair. But, though one of our critical contemporaries has sagely raised a doubt whether they might not really be supernatural, there are few, we believe, even among the Methodists themselves, who will, at the present day, assign them such a character; far less are there many who would consider them as infallible or even probable tokens of God's spirit.

It is in the first place contrary to the whole analogy of Christian history, that conversion should be really accompanied by such convulsive agitations. We read in the Acts of the Apostles of many persons brought from ignorance and hatred of the gospel to a sure and lasting faith in Christ; but where do we read that Cornelius fell down, and shrieked, and gnashed his teeth, and tore his hair, and remained as one dead, under the force of St. Peter's oratory, or that the Proconsul Sergius did so when St. Paul was preaching before him? St. Paul himself was struck blind for a time by the visible glory of Christ, and was agitated, as might be reasonably

expected, on discovering the guilt he had unknowingly incurred by persecuting the followers of the Crucified; but we cannot find that St. Paul went through any of those manœuvres which, at the commencement of Methodism, were esteemed if not necessary yet usual and certain tokens of the new birth. Nor, in all the history of his progress through Greece and Asia, are any such occurrences mentioned, though in the prison scene at Philippi, and during the long and pathetic discourse which he delivered at Troas, we should, if they ever occurred, have surely expected to meet with them. Nor, when describing the effects and fruit of his doctrine, in his Epistles to the Corinthians and Galatians, though he does not fail to notice the power of the Spirit which attended his labours to produce conviction, repentance, and peace in the Holy Ghost, does he say a word of such phenomena. And what will still more certainly prove that such symptoms were not then excited, is the fact that, though he objects many circumstances of enthusiasm and tumult to the Corinthians in their public worship, he never lays down rules for the treatment of such cases when genuine, nor reprobates their simulation when (as they doubtless would have been in many instances,) they were counterfeited by those who did not really feel them. The whole history of the church, indeed, bears us out in the same observation; and the exceptions which occur are such as the admirers of Wesley would not thank us for, the Montanists, the French Prophets, and the notorious impositions and abominations of the Nuns and Friars of the Romish Communion. No such effects were ever produced by any of the collects or prayers of the church; they never followed the preaching of Luther, of Calvin, of Latimer, of Cranmer, nor even of Wesley's own coadjutor Whitefield; yet who will deny that all these men had been the instruments of Divine Grace to lead many to repentance and salvation? And how improbable at best is it that God should have 'made his arm bare' in this manner with the hearers of Wesley only, or that his Spirit should, in this single instance, have sent signs and tokens which had been hitherto the exclusive inheritance of error or imposture?

This was the triumphant part of Lavington's 'enthusiasm of the Methodists and Papists compared,' in which, by proving that similar symptoms had, in every age, and even among the heathen world, been felt or pretended by the victims or familiars of a fanatical and idolatrous priesthood, he proves to demonstration, that they could be no certain or probable signs of Divine Grace; but, on the other hand, that they were a strong presumption *against* the sects among whom they prevailed and were encouraged. But when Lavington went on to account for them by imposture in the patients themselves, or in Wesley, and to insinuate various abominable means by which such effects might be produced in persons of weak nerves, or susceptible

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ceptible temperaments, he entirely mistook the character of Wesley himself, and did injustice to, by far, the greater number of these religious convulsionaries.

It is true that many instances occurred in which the ecstasies were voluntary and assumed. Charles Wesley, who was of a less credulous temper than his brother, detected several instances of imposture.

‘A woman at Kingswood was distorting herself and crying out loudly while he preached; she became quite calm when he assured her that he did not think the better of her for it. A girl at Bristol being questioned judiciously concerning her frequent fits and trances, confessed that what she did was for the purpose of making Mr. Wesley take notice of her.

“To-day,” he says in his journal, “one came who was pleased to fall into a fit for my entertainment. He beat himself heartily; I thought it a pity to hinder him; so instead of singing over him as had often been done, we left him to recover at his leisure. A girl, as she began her cry, I ordered to be carried out; her convulsions were so violent as to take away the use of her limbs till they laid her without at the door, and left her; then she immediately found her legs and walked off. Some very unstill sisters, who always took care to stand near me and tried who could cry loudest, since I have had them removed out of my sight, have been as quiet as lambs. The first night I preached here, half my words were lost through the noise of their outcries; last night before I began, I gave public notice that whosoever cried so as to drown my voice, should, without any man’s hurting or judging them, be gently carried to the farthest corner of the room: but my porters had no employment the whole night.”—vol. i. pp. 303, 304.

What happened at Kingswood was certainly likely to happen at Bristol, and it is neither unreasonable nor uncharitable to suppose, that in very many instances, the same trick, which was in this instance detected, was played off with more success, and that, such ecstasies being fashionable and accounted creditable to the place where they occurred, many persons would be found unwilling that their own town or village should be less under conviction than that of their neighbours. It is certain, however, that as men are intoxicated by strong drink, affecting the mind through the body, so are they by strong passions influencing the body through the mind. Many of the persons thus affected had probably been previously strangers to any religious feeling; many more had never heard any thing like eloquence; and an eloquence like Wesley’s, recommended by a dignified manner, an harmonious voice, and a thorough persuasion of the truth and importance of all which he asserted, employed on the most awful truths, and deriving fresh effect from the apparent condescension of the speaker to persons little accustomed to tenderness or solicitude from those in a superior station, might well thrill the

heart and give any direction to their feelings which he thought proper. 'Oh!' said John Nelson, one of his most ardent converts, speaking of the first time he heard Wesley preach,—

'that was a blessed morning for my soul! As soon as he got upon the stand, he stroked back his hair and turned his face towards where I stood, and I thought he fixed his eyes on me. His countenance struck such an awful dread upon me before I heard him speak, that it made my heart beat like the pendulum of a clock; and when he did speak, I thought his whole discourse was aimed at me.' Nelson might well think thus, for it was a peculiar characteristic of Wesley in his discourses, that in winding up his sermons,—in pointing his exhortations and driving them home,—he spoke as if he were addressing himself to an individual, so that every one to whom the condition which he described was applicable, felt as if he were singled out; and the preacher's words were then like the eyes of a portrait which seem to look at every beholder. "Who," said the preacher, "Who art thou, that now seest and feelest both thine inward and outward ungodliness? Thou art the man! I want thee for my Lord, I challenge thee for a child of God by faith. The Lord hath need of thee. Thou who feelest thou art just fit for hell, art just fit to advance his glory,—the glory of his free grace, justifying the ungodly and him that worketh not. O come quickly! Believe in the Lord Jesus: and thou, even thou, art reconciled to God."—vol. i. pp. 407, 408.

Nelson was a man of vigorous mind and body, and therefore, however moved, he did not fall into hysterics. But, it is plain that the feelings which he has described would, in a weaker intellect or a frame less robust, have given rise to them. Some such were, of course, always found among the crowds who attended on these occasions. And it is well known, and it was one of the foundations on which the animal magnetists built their vile scheme of imposture, that there is no disease so infectious as convulsive and epileptic affections. The most whimsical part of the affair perhaps is, that, when phenomena exactly similar were ostentatiously exhibited and confidently appealed to by another set of enthusiasts, (the French prophets, as they were generally called, or Calvinist refugees from the Cevennes,) Wesley was as incredulous as Lavington had been, and used pretty nearly the same arguments against their miracles as Lavington had used against those of the methodists. It at once occurred to him, in this instance, that the emotion 'might be hysterical or artificial.' He warned his followers that 'such things were of a doubtful, disputable nature. That they were not to judge of the spirit by which any one spake by appearances, or by their own inward feelings; no, nor by any dreams, visions or revelations supposed to be made to their souls, any more than by their tears, or any involuntary effects produced on their bodies.' Before he had ended this very sermon, *eight of his own people fell down in violent agonies,*

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and it occurred neither to himself nor his auditors that his reasoning could possibly apply, or that in this instance there was any thing doubtful or disputable!

It has been already observed that, except in one instance, where the congregation had been for some time previous under Wesley's care, no such effects were produced by Whitefield's preaching. The cause of this difference between the two friends is not very easy to discover; but it may, perhaps, be found partly in the singularity of Wesley's dress and appearance, while Whitefield wore the wig and attire usual to the clergy of the day; partly in the fact that Calvinism is rather a metaphysical, than a pathetic system of religion; partly in those personal applications to the bodily fears rather than the reason and affection of his auditors, which Wesley was in the habit of making, and most of all in the circumstance that both he himself and his followers, considering these agitations as signs of grace, were extremely desirous to feel them themselves and produce them in others. But of these extravagancies, and of the enthusiasm which they displayed and excited, the evil consequences were by no means confined either to the prejudice which they excited against Wesley, or to the discredit which they threw on the name of religion in general, or to their frequent ill effects on the bodily and mental health of those who experienced them. Enthusiasm is, in itself, an evil of no common magnitude. As it is the expectation of a result without premising the proper means, it has a natural tendency to make us think those means unimportant, or to abstract our attention from them, and to blind us to the true state of our spiritual account with God: to lead us to fear where no fear is, or to hope where hope is presumption. Nor, in spite of Wesley's cautions and disclaimers, was it possible that such effects should not often flow from discourses in which so much was sacrificed to the producing of a present effect on his hearers, and in which those hearers were taught to look for supernatural struggles and supernatural deliverance, not exemplified in a steady forsaking of sin, and the daily and continued helps of God's Spirit, but in conviction suddenly infused and assurance suddenly imparted. Wesley himself was, unquestionably, very far from an Antinomian, but Antinomianism, however disavowed, has been of frequent occurrence among his followers; nor could it be otherwise among people whose attention was directed less to their actions than to their feelings. Out of the heart, indeed, proceed the issues of life, but he who seeks to judge of his own heart by any rule but that of his general conduct, will often be fatally deceived, inasmuch as he will be sure to find there, according to his natural temper, whatever he greatly fears or whatever he confidently hopes to discover. Nor was it to be expected that wise and experienced men should countenance and

forward Wesley's views, with such fruits before their eyes as those which Lavington has collected.

Against these extravagancies and the conduct which encouraged them, Wesley's elder brother Samuel bore an earnest and unavailing testimony, conveyed, however, in terms of perfect brotherly love, and doing justice not only to the good intentions of those whom he reproved, but to the real good which his brothers were doing at Kingswood. He was now, however, in a declining state of health, and soon after sunk to the grave lamenting to the last the delusion which possessed the persons dearest to him, and the schism to which their measures were now perceptibly conducting them. This Samuel Wesley is bitterly reviled by Messrs. Bogue and Bennett in their *History of the Dissenters*. The readers of Mr. Southey's work will judge somewhat differently of him, and will know what to think of his bigotted and most uncharitable accusers.

Methodism had now become a regular system; places of worship were erected in many parts of the country and metropolis, which the violence of mobs soon compelled their supporters to shelter under the toleration act: and, notwithstanding the allegiance which they continued to profess to the church, under the name of 'Protestant Dissenters,' the system which still prevails among them, of band-meetings, &c. with all their exceptionable machinery of watch-nights and mutual confession,* was introduced, laymen were by degrees admitted to read and expound the scripture in their societies, and, at length, though with much reluctance, and with that sort of wisdom which seeks to regulate and direct a feeling which it cannot suppress, Wesley sanctioned the labours of lay-preachers, though many years elapsed before he himself, (at the

* For the polity of Arminian methodism and the ill effects which arise from some parts of it, see *Quarterly Review*, vol. iv. p. 497. Joseph Nightingale, in his *Portraiture of Methodism*, pp. 197, 198, denies that these accusations are borne out by fact. To this denial we may oppose the admissions of Wesley himself. "I searched to the bottom," says he, "a story I had heard in part, and found in it another tale of real woe. Two of our society had lived together in uncommon harmony, when one, who met in band with E. F. to whom she had mentioned that she had found a temptation toward Dr. F. went and told her husband she was in love with him, and that she had it from her own mouth. The spirit of jealousy seized him in a moment, and utterly took away his reason. And some one telling him his wife was at Dr. F.'s, on whom she had called that afternoon, he took a great stick, and ran away, and meeting her in the street, called out strumpet! strumpet! and struck her twice or thrice. He is now thoroughly convinced of her innocence; but the water cannot be gathered up again. He sticks there—"I do thoroughly forgive you, but I can never love you more." After such an example, Wesley ought to have abolished this part of his institutions."

Again, in one of his letters he tells us, "I believe Miss F. thought she felt evil before she did, and, by that very thought, gave occasion to its re-entrance." And yet he did not perceive the danger of leading his people into temptation, by making them recur to every latent thought of evil; and compelling them to utter, with their lips, imaginations which might otherwise have been suppressed within their hearts for ever!—pp. 213, 214, notes.

earnest persuasion of one of his clerical adherents, Dr. Coke, and in order to provide for the permanence of his system in America,) usurped the apostolic authority of ordaining bishops and presbyters. But, while the Wesleys were thus establishing their influence and extending their number of converts, they received a painful wound in an unexpected quarter, from the pertinacity with which Whitefield and a considerable proportion of their disciples adhered to the peculiar doctrines of Calvin, and opposed (what, indeed, was worthy of all opposition,) Wesley's extravagant notion of the possibility of sinless perfection being attained in the present life. At first Whitefield earnestly and affectionately exhorted the Wesleys to refrain from the discussion of topics on which they could not agree; but neither of the brothers was inclined, nor, in fact, was Whitefield himself, to suppress truths which they considered as of so much importance to Christianity. Harsh things were written and spoken on both sides. A sturdy predestinarian of the name of Cennick, who was schoolmaster at Kingswood, was expelled, by Wesley in person, from the society at that place, for having censured his preaching. Whitefield in his turn, reprov'd Wesley sharply for his presumption in casting lots, accusing him at the same time very unjustly and from hearsay, of having misapplied the funds of the society. They were, however, soon personally reconciled, but the difference remained as to doctrine; their respective followers were, according to custom, less charitable than themselves; and never was man more bitterly reviled, insulted and misrepresented than Wesley was through the remainder of his life by the Calvinistic methodists.

The cause of this bitterness is chiefly to be found in a sermon which he preached at the Foundery and afterwards published under the title of 'Free Grace,' which is indeed the most able and eloquent of his discourses, a triumphant specimen of impassioned argument, which it is strange to think that any one could read and still continue a predestinarian.

"Call it by whatever name you please," said he, attacking the Calvinistic doctrine, "Election, Preterition, Predestination, or Reprobation, it comes to the same thing. The sense is plainly this: by virtue of an eternal, unchangeable, irresistible decree of God, one part of mankind are infallibly saved, and the rest infallibly damned; it being impossible that any of the former should be damned, or that any of the latter should be saved." He proceeded to show, that it made all preaching vain, as needless to the elect, and useless to the reprobate; and, therefore, that it could not be a doctrine of God, because it makes void his ordinance: that it tended to produce spiritual pride in some, absolute despair in others, and to destroy our zeal for good works: that it made revelation contradictory, and useless; and that it was full of blasphemy,—"of such blasphemy," said he, "as I should dread to mention

mention, but that the honour of our gracious God, and the cause of truth, will not suffer me to be silent. In the cause of God," he pursues, "and from a sincere concern for the glory of his great name, I will mention a few of the horrible blasphemies contained in this horrible doctrine."

These, however, are too long to be given here, and we shall therefore content ourselves with placing before our readers the eloquent and animated passage which succeeds them.

"Yes! the decree is past; and so it was before the foundation of the world. But what decree? Even this: 'I will set before the sons of men life and death, blessing and cursing;' and 'the soul that chooseth life shall live, as the soul that chooseth death shall die.' This decree, whereby whom God 'did foreknow, he did predestinate,' was indeed from everlasting: this, whereby all who suffer Christ to make them alive are 'elect according to the foreknowledge of God,' now standeth fast, even as the moon, and the faithful witness in heaven; and when heaven and earth shall pass away, yet this shall not pass away, for it is as unchangeable and eternal as the being of God that gave it. This decree yields the strongest encouragement to abound in all good works and in all holiness; and it is a well-spring of joy, of happiness also, to our great and endless comfort. This is worthy of God. It is every way consistent with the perfection of his nature. It gives us the noblest view both of his justice, mercy, and truth. To this agrees the whole scope of the Christian Revelation, as well as all the parts thereof. To this Moses and all the prophets bear witness; and our blessed Lord and all his apostles. Thus Moses, in the name of his Lord, 'I call heaven and earth to record against you this day, that I have set before you life and death, blessing and cursing, therefore choose life, that thou and thy seed may live.' Thus Ezekiel (to cite one prophet for all), 'The soul that sinneth, it shall die; the son shall not bear (eternally) the iniquity of the father. The righteousness of the righteous shall be upon him, and the wickedness of the wicked shall be upon him.' Thus our blessed Lord, 'If any man thirst, let him come to me and drink.' Thus his great apostle St. Paul, 'God commandeth all men, every where, to repent.' *All men, every where*; every man, in every place, without any exception, either of place or person. Thus St. James, 'If any of you lack wisdom, let him ask of God, who giveth to all men liberally, and upbraideth not, and it shall be given him.' Thus St. Peter, 'The Lord is not willing that any should perish, but that all should come to repentance.' And thus St. John, 'if any man sin, we have an advocate with the Father; and he is the propitiation for our sins; and not for ours only, but for the sins of the whole world.'

"O hear ye this, ye that forget God! ye cannot charge your death upon him. 'Have I any pleasure at all that the wicked should die?' saith the Lord God. Repent and turn from all your transgressions, so iniquity shall not be your ruin. Cast away from you all your transgressions, whereby ye have transgressed; for why will ye die, O house of Israel? For I have no pleasure in the death of him that dieth, saith the

the Lord God. Wherefore turn yourselves, and live ye.—‘As I live, saith the Lord God, I have no pleasure in the death of the wicked. Turn ye, turn ye from your evil ways; for why will ye die, O house of Israel?’—vol. ii. pp. 384—391.

In consequence of these disputes, and under the patronage of the Dowager Lady Huntington, who was, in will at least, as munificent a friend to the followers of Whitefield, as the Countess Matilda was to the Papacy, the Calvinists entirely seceded from all connexion with Wesley. Yet, notwithstanding these divisions, the cause of Methodism grew every day, not only in England, but in Wales, Ireland, and America: indeed Wesley's Arminianism was not likely to be well received in Scotland; but Whitefield produced a considerable effect there. Of the annals of itinerancy, and of the characters and conduct of Wesley's principal instruments or coadjutors, Mr. Southey has given some very interesting, though, perhaps, too minute and copious details: nor can any age of Christianity present more beautiful instances of sincerity, piety, ardent zeal, and disinterested self-devotion to a cause which they regarded as the cause of heaven, than are to be found in the memoirs of many of those honest and simple missionaries, whom his eloquence first awakened to a sense or knowledge of religion, and who went forth from their looms, their ploughs, and their families, to carry the word of God to those who were still in that ignorance from which they had been themselves so lately delivered. Of his more educated associates, besides his brother Charles, Dr. Coke, his successor in authority, and Mr. Fletcher, or Flechière, a Swiss by birth, but many years Vicar of Madely, in Shropshire, were the principal. The latter was a man of heavenly temper—a saint in the ancient and highest sense of the term, whose enthusiasm was entirely unmingled with bitterness, and whose life and death were alike edifying, but who, as a zealous Arminian, was pursued with a rancour almost incredible by those who (to use the language of one of their own party, Augustus Toplady,) ‘considered themselves as kings *incog.* travelling, disguised like pilgrims, to their dominions above.’ Nor can it be read without something more than disgust, that when, on leaving England for the benefit of his health, this excellent man desired an interview of reconciliation and mutual forgiveness with those persons with whom he had been engaged in controversy, some deep-dyed Calvinists were found who had not the grace to accept the invitation.

Yet, among the Calvinists also, many excellent men might be enumerated, ardent labourers in the cause of piety, and animated with a sincere affection for those over whose fancied heresies they mourned. Such Whitefield himself lived and died, and as such, it

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is pleasing to know that he was honoured, both in life and death, by his great opponent Wesley.

It may well be supposed, that exertions of a nature so novel as those which we have been describing, were not likely to be carried on in England without great and violent opposition. Nor was this opposition confined to the bloodless weapons of argument or verbal censure. Furious mobs arose against them in many places both of England and Ireland; and the magistrates, in some instances, shewed a scandalous neglect of their duty, and even encouraged whatever excesses had the suppression of methodism for their object. Whitefield, while preaching in Moorfields, was not only assailed with all the usual missiles of a brutal rabble, but was attacked with a drawn sword by a person with the appearance of a gentleman; and Wesley was twice in very serious danger, once at Walsall, in Staffordshire, where some of the mob cried out 'Crucify him!' once in Cornwall, where a crowd, headed by the crews of some privateers, broke into the house where he was visiting a sick lady, with avowed intentions of killing him, which were only prevented by his firm and quiet manner of addressing them.

In Ireland some of his helpers were exposed, if possible, to still greater danger; a mob paraded the streets of Dublin armed with swords, staves, and pistols, wounding many persons, and offering five pounds for the head of a methodist; and a Grand Jury, instead of affording justice to the injured party, preferred bills against Charles Wesley and nine of his friends, as persons of ill fame, vagabonds, and common disturbers of his Majesty's peace, praying that they might be transported.

Nor was the life of an itinerant without trials of another kind. Wesley's long journeys on horseback, at a time when turnpikes were unknown, and accommodation of all kinds execrable, were often wearisome, and sometimes even dangerous, when they led him through the fens of his own county when the waters were out, and over the hills of Northumberland when they were covered with snow. In other instances, and more particularly in the early part of his career, the head of the connexion himself occasionally, and more frequently his poor helpers, had to contend with an inhospitality and coldness on the part of their friends, more discouraging to a spirit like his than either the inclemency of the seasons or the fury of his enemies.

'He and John Nelson rode from common to common, in Cornwall, preaching to a people who heard willingly, but seldom or never professed them the slightest act of hospitality. Returning one day in autumn from one of these hungry excursions, Wesley stopt his horse at some brambles, to pick the fruit. "Brother Nelson," said he, "we
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ought to be thankful that there are plenty of blackberries, for this is the best country I ever saw for getting a stomach, but the worst that I ever saw for getting food. Do the people think we can live by preaching?" They were detained some time at St. Ives, because of the illness of one of their companions; and their lodging was little better than their fare. "All that time," says John, "Mr. Wesley and I lay on the floor: he had my great coat for his pillow, and I had Burkett's Notes on the New Testament for mine. After being here near three weeks, one morning, about three o'clock, Mr. Wesley turned over, and finding me awake, clapped me on the side, saying, 'Brother Nelson, let us be of good cheer, I have one whole side yet; for the skin is off but on one side.'"—vol. ii. pp. 52—54.

There is no question, however, that, in spite of such inconveniences, the life which he was leading was a popular, a wholesome and a highly pleasant one, attended by the admiration and blessings of multitudes, animated by continual changes of scene and society. His character was naturally susceptible of impressions from nature and romantic scenery, and he soon found that such influences operated on the multitude like the pomp and circumstance of Roman worship. The descriptions in Isaac Walton's *Angler* are not more pleasing, and are certainly less picturesque and striking than many passages in his journal where he describes the tall and shady trees, the majestic hills, the sea-beaten rocks, the ruins and the mountain glens which served him, from time to time, as theatres and temples. There was likewise, occasionally, a moral interest excited of a still loftier kind. With all the enthusiasm and the incidental evil consequences of his system, he might boast of much direct and evident good produced, of many sinners reclaimed, of many ignorant persons enlightened, of many disappointed and broken hearts relieved by the balm of religion.

'A woman, overwhelmed with affliction, went out one night with a determination of throwing herself into the New River. As she was passing the Foundery, she heard the people singing: she stopt, and went in; listened, learnt where to look for consolation and support, and was thereby preserved from suicide.

'Wesley had been disappointed of a room at Grimsby, and when the appointed hour for preaching came, the rain prevented him from preaching at the Cross. In the perplexity which this occasioned, a convenient place was offered him by a woman, "which was a sinner." Of this, however, he was ignorant at the time, and the woman listened to him without any apparent emotion. But in the evening he preached eloquently, upon the sins and the faith of her who washed our Lord's feet with tears, and wiped them with the hairs of her head; and that discourse, by which the whole congregation were affected, touched her to the heart. She followed him to his lodging, crying out, "O, Sir, what must I do to be saved?" Wesley, who now understood

understood that she had forsaken her husband, and was living in adultery, replied, "Escape for your life! Return instantly to your husband!" She said she knew not how to go; she had just heard from him, and he was at Newcastle, above an hundred miles off. Wesley made answer, that he was going for Newcastle himself the next morning; she might go with him, and his companion should take her behind him. It was late in October: she performed the journey under this protection, and in a state of mind which beseemed her condition. "During our whole journey," he says, "I scarce observed her to smile; nor did she ever complain of any thing, or appear moved in the least with those trying circumstances which many times occurred in our way. A steady seriousness, or sadness rather, appeared in her whole behaviour and conversation, as became one that felt the burthen of sin, and was groaning after salvation."—"Glory be to the friend of sinners!" he exclaims, when he relates the story. "He hath plucked one more brand out of the fire! Thou poor sinner, thou hast received a prophet in the name of a prophet, and thou art found of Him that sent him." The husband did not turn away the penitent; and her reformation appeared to be sincere and permanent."—vol. ii. pp. 55—57.

Wesley, though he for several years avowed a strong preference for celibacy, and even recommended it earnestly to his preachers, himself married at a later age than such unions commonly take place at. The connexion was by no means a happy one. His own character was not only fitted for command, but fond of it, and the tone of his letters to his wife is rather that of a schoolmaster addressing a refractory pupil than that of a tender husband to the object of his affections. She, on her side, appears to have loved him passionately, but to have been jealous almost to frenzy of his correspondence with his various female penitents, and, in particular, with a Mrs. Sarah Ryan, a woman of enthusiastic feelings and considerable talents, to whom, it must be owned, Wesley wrote with a degree of *onction*, which seems to imply that he was more attached to her than he was himself aware of. After some years of wrath and wretchedness, Mrs. Wesley at length left him, and he coolly notices the event in his private journal with the observation—"Non eam reliqui, non dimisi, non revocabo." From a passage, however, in one of his journals, it would seem that, for a time at least, they were afterwards reconciled; but, at her death, which occurred ten years after, she was certainly separated from him. Few men could be found to whom domestic happiness was less necessary, or by whom it was likely to be less valued. His time and thoughts were continually and fully occupied; he preached twice or thrice every day; he rose, for fifty years together, at four in the morning, and never travelled less, by sea or land, than 4500 miles in a year. Such a man, even if jealousy had been out of the case, was but little calculated for a husband or a father.

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From this time forward, the history of Wesley's life offers little variety. He proceeded in the same tenour of unvaried and restless activity; divided between his labours as an itinerant preacher, as a voluminous author, almost '*de omni scibili*,' as visitor of a large school, which he had established on his own principles at Kingswood, and of which the discipline was perhaps the sourest and most tyrannical that ever poor children were subjected to, and, above all, as the sole and absolute sovereign of the doctrine, discipline, lives, and consciences of his sect, both in Britain, Ireland, and America. He was, at different periods of his life, considerably annoyed by dissensions among his people; which, however, he for the most part appeased with wonderful tact and sagacity. Antinomianism made several inroads into his societies, and the spirit of schism, once awakened, soon began to display itself in many minor sects, which branched off from his church, or which he himself repelled from it. Notwithstanding the many concessions he made to the Lay Preachers, he neither entirely satisfied them, nor does he appear to have been altogether pleased with his own conduct, inasmuch as while he professed to be convinced by the arguments of Lord King, and in opposition to the tenets of the Church of England, that a bishop and presbyter were originally the same office, he displayed considerable anxiety to get himself ordained a bishop by a Greek who was then in London, and who assumed the name of Bishop of Arcadia.* The Greek, however, knew better than Wesley the canons of the ancient church, and how necessary it was that more than one bishop should be present at such a ceremony.

There were other points in which Wesley was dissatisfied with his people, and in which he shewed some remainder of those feelings of allegiance to the Church of England which he had imbibed from his father and his education at Oxford. We find him exceedingly displeased with one of his meeting-houses because it resembled a Presbyterian Conventicle. 'An omen, perhaps,' says he, 'of what it will be when I am gone.' He was uniformly strenuous in his exhortations to remain in the communion of the Church of England; and when, at Deptford, the Methodists were anxious to have divine service in their chapel during church hours,

* This poor man, whose name was Erasmus, was unjustly accused of imposture by Toplady and the other enemies of Wesley. The reason they assigned for their suspicions only shewed their own excessive ignorance of the Eastern Church. The certificates of orders which he issued were not in *modern* but in *ancient Greek*! If Erasmus had been really an impostor, he would not have acted with so much honesty as he did in refusing to consecrate Wesley. But there are some men who find the same difficulty in conceiving a Bishop without temporalities, as Martin Scriblerus did to conceive the abstract idea of a Lord Mayor. The Maronite Archbishop of Jerusalem was suspected by many people who ought to have known better, in spite of sundry credentials, for no other reason, that we know of, but his want of a coach and four.

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he declared, that if they carried their intention into effect, they should see his face no more. Yet even this point he was, at last, induced to concede, by the same arguments of expediency, (than which no worse argument can be used for quieting a man's conscience,) to which he had recourse when, in opposition to all his former principles, he admitted Laymen to exercise the office of ministers.

His political conduct was, on the whole, more consistent. In early life, and following the inclinations of his mother more than those of his father, he was a Jacobite; and gave offence at Oxford by a political sermon, the memory of which may have mingled itself with the opposition which the Methodists experienced, and contributed to the report which at one time prevailed, that Wesley was a Jesuit in disguise. In his latter days he was still a high tory. He went so far in the American war as to offer his help in raising a regiment for the crown; and wrote a tract to justify the mother country in its right of taxation, which gave so much offence to his American converts that he soon after, if we believe Joseph Nightingale, was disingenuous enough to disavow his previous sentiments, and profess the having forgotten his own pamphlet. He shewed, however, his sagacity in discerning the signs of the times before the French Revolution, and in deducing his expectations of evil from a corrupt and disaffected press. And it has been ever since the honourable distinction of by far the greater number of the preachers in his connexion, that of all the sects there is none which has so clearly given warning, through its usual officers, of the guilt and danger of rebellion. But his busy life was now drawing to a close: though, in his extreme old age, he was blessed with a degree of vigour and vivacity of body and mind which, as he himself, with a pardonable degree of vanity, tells us, made him 'a wonder to himself and his acquaintance.' 'No one who saw him, even casually,' Mr. Southey tells us, 'can have forgotten his venerable appearance. His face was remarkably fine; his complexion fresh to the last week of his life; his eye quick and keen and active. When you met him in the street of a crowded city, he attracted notice, not only by his band and cassock, and his long hair, white and bright as silver, but by his pace and manner, both indicating that all his minutes were numbered and that not one was to be lost.' On completing his eighty-third year, he tells us of himself in his journals, 'I am never tired, (such is the goodness of God,) either with writing, preaching, or travelling. One natural cause, undoubtedly, is my continual exercise and change of air. How the latter contributes to health I know not; but certainly it does.' Other persons, however, perceived his growing weakness before he was himself

himself aware of it; but the decay was gradual and without suffering, till in the middle of the year 1790, he confessed that 'though he felt no pain, yet nature was exhausted, and, humanly speaking, would sink more and more, till

'The weary springs of life stand still at last.'

In the following February, he had still strength to write a long letter to America, in which he enjoined those who desired to say any thing to him to lose no opportunity, 'for time,' he continued, 'has shaken me by the hand, and death is not far behind:' words which his father had used in one of the last letters that he addressed to his sons at Oxford. He died, in fact, peaceably and without pain, in little more than a fortnight afterwards, in the eighty-eighth year of his age and the sixty-fifth of his ministry.

'At the desire of many of his friends, his body was carried into the chapel the day preceding the interment, and there lay in a kind of state becoming the person, dressed in his clerical habit, with gown, cassock, and band; the old clerical cap on his head, a Bible in one hand and a white handkerchief in the other. The face was placid, and the expression which death had fixed upon his venerable features, was that of a serene and heavenly smile. The crowds who flocked to see him were so great, that it was thought prudent, for fear of accidents, to accelerate the funeral, and perform it between five and six in the morning. The intelligence, however, could not be kept entirely secret, and several hundred persons attended at that unusual hour. Mr. Richardson, who performed the service, had been one of his preachers almost thirty years. When he came to that part of the service, "Forasmuch as it hath pleased Almighty God to take unto himself the soul of our dear brother," his voice changed, and he substituted the word *father*; and the feeling with which he did this was such, that the congregation who were shedding silent tears, burst at once into loud weeping.'—vol. ii. p. 563.

Charles Wesley had died three years before, leaving behind him the character of a man of accomplished mind, and holy and humble temper; who to an activity little less remarkable than that of his brother, added a taste for poetry and literature superior to that which John displayed; who had more discernment, less credulity, and who was totally free from that lofty spirit of rule and ambition which pervaded every thought and action of the other. Latterly their opinions had differed. Charles saw the evil tendency of some parts of the discipline established among the Methodists. He did not hesitate to say, that he abominated their band-meetings of which he had once approved; and adhering faithfully himself to the church, he regretted the separation which he foresaw, and disapproved of John's conduct in taking steps which manifestly led to it. But the mutual love of the brethren remained the same.

Charles acknowledged the excellence of his brother's motives, and appears to have been anxious that, as the Methodists were to exist as a separate society, that society should still be under the absolute controul of one so wise, so good, and who differed in so few points from that church which he had virtually deserted. He died without pain or disease, in the eightieth year of his age, and was buried, by his own desire, not in his brother's burying-ground, because it was not consecrated, but in the church-yard of Marylebone, and his pall was supported by eight clergymen of the Church of England.

Of John Wesley, and of the revolution which he effected in the religious world, our opinion may be collected from the manner in which we have already expressed ourselves. He was, unquestionably, a man of very eminent talents and acquirements. His genius, naturally clear and vivid, had been developed and matured during his residence at Oxford, by an unremitting attention to the studies of the place, studies to which he always looked back with pleasure; and which, during his long and busy life, he was careful to keep up by the aid of an industry and a management of time which none that we know of have excelled, and few indeed have equalled. He always rose, for above fifty years together, at four in the morning. He read even while on horseback; and, during the latter part of his life, when his long journies were made in a carriage, he boasted that he had generally from ten to twelve hours in the day which he could devote to study and composition. Accordingly, besides the ancient languages, he was competently skilled in many of the tongues of modern Europe, and his journals display throughout a remarkable and increasing familiarity with the general reading, the poetry, and ephemeral productions of his day. Dr. Johnson has borne witness to the vivacity of his conversation, and to the frugality with which his time was measured. He strictly adhered to his own rules in this respect, nor can better rules be devised for obtaining leisure, even amid the pressure of business the most varied and extensive. 'Though I am always in haste,' he said of himself, 'I am never in a hurry; because I never undertake more work than I can go through with perfect calmness of spirit.'

Unquestionably this well-arranged and preconcerted activity was one principal feature of his character, and mainly conducted to form and preserve in him that masterly spirit of government which has distinguished him from all other founders of sects or religious societies. Francis of Assissi was a tool in the hands of more artful followers, and the same may be suspected even of Mahomet. The vast structure which Benedict reared was not his own invention, but a revisal and reform of ancient institutions; and the Jesuits are indebted for theirs to wiser and more

worldly

worldly heads than Loyola: but every thing in Methodism originated, every thing centred, every thing terminated in Wesley. His supremacy, while he lived, was more absolute and undisputed than any thing of the kind which the world has seen. Whatever differences, whatever disaffection arose, only served, in the event, to strengthen his authority; and he left behind him, in full vigour, a system which, whatever be its other demerits, is more applicable to general purposes than the discipline of the Moravians; while not even that discipline is so well qualified to secure its own union, and the absolute submission of the members.

Of the sincerity of his piety, that his heart was really and entirely in the system which he established, and that he conceived it to be calculated, beyond all other institutions, to promote the glory of God and the virtue and happiness of mankind, the intensity of his labours would be alone no insufficient proof, if it were not still further attested by the greatness of his charity. When he entered at college, his income was 30*l.* a year, of which he gave forty shillings in alms. As his circumstances improved by the improvement of his fellowship, he still spent only 28*l.* on himself, and bestowed the whole surplus on the poor. In his latter days he received very large sums of money as presents, and from the sale of his different publications, of which he was himself both printer and publisher; but whatever exceeded his own frugal maintenance and his travelling expenses, was immediately dispersed in benevolence. At his death, a memorandum was found in his cash account-book, written with a tremulous hand, and dated some months preceding. 'For upwards of eighty-six years I have kept my accounts exactly: I will not attempt it any longer, being satisfied with the continual conviction that I save all I can and give all I can; that is, all I have.' It is affirmed that, in the course of his life, he gave away not less than thirty thousand pounds in this manner!

The faults or infirmities of Wesley were by no means such as materially to detract from his many great and excellent qualities. Of these defects, the most striking was, perhaps, his ambition; which, if it always found its vent in benevolent and pious enterprises, made him less scrupulous as to the means by which such enterprises were to be carried on, and induced him to keep in view more steadily than even higher objects, the extension of his own renown, and the maintenance of his personal dominion. Through his whole life he endured no superior or equal, and his admirable brother, and saintly disciples Fletcher and Coke were, in all respects, not his coadjutors, but his instruments. The same character made him uneasy and restless while employed in a narrow sphere, and as cold and harsh in the performance of his domestic duties as

he was conciliatory and fascinating in the intercourse of his public life. To do good was his delight; but he desired to do it on a grand scale. To instruct a parish or a colony was wearisome; but it was glorious to convert the world.

Nor as a reasoner or a politician was he always ingenuous or just. Where it answered his purpose he sometimes softened down and explained away those doctrines on which, at other times, he insisted most strongly. He was guilty of equivocation with Bishop Gibson; with Gibbon; and when it was necessary to get rid of the unfavourable impression which had been excited against him in America by his work against the Insurgents. He must have been sensible of his inconsistency in professing himself a member of the Church of England while so many of his measures tended to overturn her authority. It was impossible that a mind like his could have been satisfied by the arguments which he employed to reconcile his schism with his avowed desire of union; and the Moravians had good reason to complain of him, as either having, for many months, connived at guilt, or having, after his quarrel with them, calumniated innocence.

His vanity was a slighter failing, and for which many more excuses might be made. After the success which he had met with, and the popularity which he had enjoyed, he must have been more than human had he not been sometimes elevated in his own opinion. Yet it was no common degree of vanity which could prompt him to preach on, and apply to himself, such a text as Isaiah lxi. 1, 2.; or which could make him talk, as he did in one of his journals, of being followed by the *Hosannas* of the multitude. Perhaps something of the same spirit might be traced in the singular but graceful manner in which he departed from the usual fashion of wearing the hair; and it is to this, unquestionably, that we may ascribe the confidence with which he spoke and wrote on subjects with which he was least acquainted, which made him speak slightly of Newton, and contemptuously of Locke, and which gave to the world the most extraordinary *Treatise on Diseases and their Remedies*, which has appeared on this side of Moorfields.

To the same source may be referred, in a great degree, the credulity of which there are so many instances given in Mr. Southey's volumes. Believing himself to be an extraordinary person, and engaged in an enterprize of the most important character, he lent a ready faith to whatever marvels had a tendency to designate him as the favourite of God, or the peculiar object of Satan's fury. If any among his hearers pretended to visions, or to be the victim of diabolical possession, he never seems to have thought it necessary to examine into the truth of the ecstasies, but to have taken all

all for granted: because, when such a wondrous work was advancing in the world, such wonders and such supernatural agency were in their place, and reasonably to be expected. If his horses fell lame, it was the malice of 'the old Murderer' which had power over them. If his progress was cheered by a favourable change of weather, he immediately recognized the peculiar finger of Providence encouraging him to persevere in his labours. His fondness for divination by lot, and by the casual opening of a Bible, could only be explained from his believing himself entitled, from his character and situation, to ask and expect the peculiar and immediate guidance of the Almighty. And it is strange that, while so many of his objectionable opinions were softened down by age and experience, this presumptuous habit appears to have attended him through life, unchecked by repeated failures, and the public reproof of his coadjutor and rival, Whitefield; unless indeed we suppose that the reproof itself contributed to its continuance.

As a logician he piqued himself, as we have seen, on his skill; and it must be allowed that his writings in general are distinguished by a remarkable force, acuteness, and vivacity of conception and expression. Yet, it is also remarkable that the doctrines which he most anxiously insisted on through life, were not only incapable of being moulded into any consistent system, but were, many of them, in direct opposition to each other. His tenet of assurance was decidedly Calvinistic; and one which could not, without great violence to common sense, be separated from the notion of absolute election. His doctrine of Christian perfection had as direct a tendency to make men Mystics or Antinomians; for what can be the use of ordinances to him who needs no further grace; and what is law to him who cannot sin? Yet Wesley was too good a logician to be a Calvinist; he was too pure and holy to fall into the Antinomian errors, and he had too cool a head to remain long a Mystic. How strange that he did not perceive that his eclectic divinity could not stand by itself, and that if he went thus far he must go farther! Nor is it easy to apprehend how his powerful mind, while it honestly lamented the disorders and vices, the pride, envy, and slander which prevailed in his societies, should not have perceived that the details of his discipline were of themselves calculated to generate such a spirit, and to undo, in a great measure, in the minds of his followers, the good which his preaching and example had produced in them.

Of that preaching we have already given a favourable specimen, and it would be vain to deny it the praise of no common degree of impressive eloquence. His general fault was a too indiscriminate use of 'the terrors of the Lord;' a too constant attempt to stimulate the unconverted soul to a sense of the danger and misery of

its condition by the use of all the most dreadful imagery which a vivid imagination could supply, assisted by the menaces of scripture and the refinements of the monks of the middle ages. That such alarming sermons were often productive of the best effects, and that, amid his rude and stubborn hearers, they produced this effect where no milder strain could have succeeded, we are fully ready to allow. But he prided himself too much on the manner in which he wielded the thunder, regardless of the effect which it daily produced on those whose nerves were weak or consciences tender; and the evil was increased and rendered less excusable when, instead of warning them to fly from the wrath to come by *repentance*, he referred them to their inward feelings, and bade them seek for comfort and safety in a fancied new birth and a presumptuous self-assurance of salvation.

How far the prevalence of Methodism is favourable or otherwise to the cause of religion, is a point on which mankind will, of course, think very differently. Of its direct and incidental advantages, and of the evils which have sprung from it, we have already spoken sufficiently. Those evils are many of them, indeed, no other than the natural and necessary consequences of every great religious ferment; the 'offences,' to which all such agitating revivals are liable, whether in themselves beneficial or otherwise. But in the very system and machinery of methodism, there is much, very much, which in our opinion tends to increase these evils. Besides the folly of restricting men from recreations which keep the mind in health; discouraging, if not prohibiting, the accomplishments which give a grace to life; separating its members from general society, and breaking up families and friendships; besides the unreasonable and monastic moroseness of Wesley's system of education, his total ignorance of the nature of children, and the abominable abuses to which, among adults, his band-meetings, covenants and mutual confessions were liable; it cannot be denied that his system, even at the best, tended to produce more of the appearance than the reality of religion.

'It dealt too much in sensations, and in outward manifestations of theopathy; it made religion too much a thing of display, and affair of sympathy and confederation; it led persons too much from their homes and their closets; it imposed too many forms; it required too many professions; it exacted too many exposures. And the necessary consequence was, that many, when their enthusiasm abated, became mere formalists, and kept up a Pharisaical appearance of holiness, when the whole feeling had evaporated.'—vol. ii. p. 528.

When such is the case, we certainly dare not resign ourselves to the pleasing hope expressed by Mr. Southey, that Methodism, as it is now constituted, can 'again draw towards the establishment from

from which it has receded, and deserve to be recognized as an auxiliary institution of the Church of England.' Be this, however, as it may, there is much to be learned from the volumes now before us. The ardent and enthusiastic minister of religion, who aspires to advance the cause of God and goodness, by whatever means and at the price of whatever sacrifices, may do well, from the example of Wesley, to learn that Christian prudence is a part not only of wisdom but of duty; and that strife once begun, in however trifling instances, has a tendency to enlarge the breach, till what was at first dispute, becomes at length division. And they who think most unfavourably of the measures which he pursued, may recollect that his many virtues, his piety, his self-denial, his activity, his boundless charity, if they contributed to the success of his views, were, in themselves, no part of his schism, and that no common blessing must wait on the man who, while he avoids the last, endeavours to rival him in the former.

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- ART. II.—1. *A statistical, historical and political Description of the Colony of New South Wales, and its dependent Settlements in Van Diemen's Land, with a particular enumeration of the Advantages which these Colonies offer for Emigration, and their superiority in many respects over those possessed by the United States of America.* By W. C. Wentworth, Esq. a Native of the Colony. 8vo. pp. 466. London. 1819.
2. *Journals of two Expeditions into the interior of New South Wales, undertaken by order of the British Government, in the years 1817-18.* By John Oxley, Surveyor General of the territory and Lieutenant of the Royal Navy. 4to. pp. 408. London. 1820.

THE Dutch, who were the discoverers of that vast body of land in the southern hemisphere, (which modern geographers distinguish by the name of *Terra Australis*, or *Australia*,) called it New Holland, little dreaming, perhaps, that at some future period the similarity of it to the old country would be found to sanction the name.—That such is the case, the recent discoveries of Mr. Oxley seem to leave very little doubt. Whether its swamps and morasses will, like those of its parent, be at any period brought into a state of cultivation, may admit of question. In the mean time, however, that part of the eastern coast settled by the British government is making prodigious advances, not only in moral and political importance, but also in geographical interest. The physical barrier, which had so long confined the researches of its new inhabitants to a narrow slip of land along the coast, has been broken down; the contracted point of view in which this immense region

region (nearly equal in extent to all Europe) was originally contemplated as 'the land of felons,' has expanded, and a more brilliant light diffused itself over this fifth continent of the globe. A new generation has grown up, in no way responsible nor reproachable for the crimes of their parents; voluntary settlers have emigrated from the mother country with their little capitals and a stock of honest and industrious habits; the state of society has in consequence undergone a material change for the better; property of all kinds has improved in value and security; and successful industry given a new and pleasing aspect to these distant shores, now smiling with cultivation.

It was to be expected, as a natural consequence of the increasing population and prosperity of the two colonies of New Holland (now New South Wales) and Van Diemen's Land, that the claims of the settlers on the mother country would rise in proportion to their progress; and that their views would one day outstep the original intention for which those settlements were established. That period has arrived; but we confess that we were not quite prepared for the extent of their demands, or for the dictatorial and menacing tone assumed by their advocate, Mr. Wentworth. This stripling Australian displays a considerable share of ingenuity in the fashionable occupation of constitution-mongering. 'There is not the least shadow,' he tells us, 'of a free government in New South Wales,' because,—as this beardless Solon of the new world gravely adds,—'the country possesses neither a council, a house of assembly, nor even the privilege of trial by jury.' These institutions may be very proper for a society previously fitted to receive them, and some of them may hereafter, and no doubt will, be introduced into Australia; but, with all their excellence, Mr. Wentworth has yet to learn, that none of them, and least of all the last, are to be considered as a panacea adapted to the cases of all communities and all constitutions. With regard to New South Wales, it never was intended to consider it, during its infancy, in any other light than an enlarged prison for the custody, correction and employment of convicted felons; and, so long as the major part of the population consists of persons of this description, the propriety, or indeed the possibility, of a 'free government,' may be questioned. It is very much doubted, by those best informed on the subject, whether the settlers, not of the description of felons, are yet sufficiently numerous and enlightened, to be intrusted with an active share in the government of the colony; and more particularly, to sit as jurymen on the lives and property of their fellow citizens. Of the wisdom or expediency of establishing a 'house of assembly' there are equal doubts. In such an assembly we have but too many proofs

proofs of the baneful influence of local and individual interests being set in array against the public good; and 'a council' would only add to the expense of the settlement, while its tendency would be to fetter and thwart the executive government, as experience, in other distant possessions, has but too often shewn. It is true, a Committee of the House of Commons recommended a council to assist the governor; but the reasons stated by Lord Bathurst for not acceding to this recommendation, we consider to be founded in good sense, and perfectly conclusive. 'The difficulty,' said his lordship, 'of selecting proper persons for the situation of members of the council; the dissensions and disputes to which their opposition to the governor, or their protest against his conduct, must give rise; the parties which would thence spring up in the colony; the length of time during which the public tranquillity would be interrupted, before a communication could be received from home; the danger of weakening the higher authorities, in a society composed of such discordant materials, are all causes which have more or less influenced the determination which has induced his Majesty's government to leave the governor unfettered by a council.'—We return to Mr. Wentworth.

There are three descriptions of convicts; those who are sentenced to transportation for seven years; for fourteen years; and for life. Of these the first are the most idle, the most insolent and the most abandoned; the second are somewhat more manageable; and the third, feeling all hope of return to be cut off, generally become reconciled to their situation, and endeavour to improve their condition by adopting a line of conduct which may recommend them to the attention of the governor, who has ever been most ready to afford such as shew themselves worthy of it, an opportunity of providing a comfortable subsistence; and instances are not wanting, where persons of this description have, by industrious and virtuous habits, atoned, in some degree, for the crimes of their early life.

From the general bad conduct of the first class of convicts, it has been suggested that the transportation of felons should, in future, be limited to those who are banished for life; keeping the others to hard labour in hulks or jails at home, or in suitable penitentiary houses; it having been pretty clearly ascertained that a transportation for seven years, or, as it is facetiously termed, 'a trip to Botany Bay,' is rather courted than dreaded.* We cannot however

* It was stated to the Police Committee, by the ordinary of Newgate, 'that the generality of those transported consider it as a party of pleasure—that they rejoice in it,' 'I have heard them,' he says, 'when the sentence of transportation has been passed by the recorder, return thanks for it, and seem overjoyed at their sentence.' This feeling indeed was strongly exemplified at the last Surry sessions, when a mere lad, who had headed

however be much surprised at this when we consider the comfortable manner in which the convict ships are fitted up, and—But we are over-stepping the limit prescribed to ourselves in the present article, in which we had no intention of examining into the political bearing of the question, preferring to wait for the Report of Mr. Bigge, (who has been commissioned to inquire into the various matters connected with the internal state of the colony,) when we shall probably take occasion to discuss it at some length. Meanwhile we shall content ourselves with a few observations on the statistical part of Mr. Wentworth's book, and on the progressive geography of New South Wales obtained from the expeditions of Mr. Oxley; which will be found to convey very accurate notions of the Australian territory as far as it has hitherto been settled and explored.

The town of Sydney, the capital of New South Wales, has increased very considerably in extent; and the style and regularity of the more recent buildings have been much improved. It has a population of about 7000 souls; a market, well supplied with grain, vegetables, poultry, eggs, butter and fruit; and a bank with a capital of £20,000 in 200 shares, the paper of which is the principal circulating medium of the colony; its flourishing condition may be presumed from the proprietors having the last year divided 12 per cent. on their capital. There are also two good public schools, one for boys, and the other for girls; the latter contains sixty children, who are gratuitously taught reading, writing, arithmetic, sewing and the various arts of domestic economy. On completing their education they are assigned as servants to such families of respectability as apply for them; or married to free persons of good character, when a certain portion of land is given in dower from a tract set apart for that purpose.

Sydney possesses two other public schools, containing upwards of 220 children of the higher classes, both male and female: and, it should be stated, to the credit of the local governments, that provision is made in every populous district for the diffusion of education; to defray the expenses of which, one eighth part of the colonial revenues, amounting to about £2,500, has been added to the 'Orphan Dues' on coals and timber. Besides these laudable institutions there are two private societies, one called 'the Auxiliary Bible Society of New South Wales,' the other 'the New South Wales Sunday School Institution.'

The town next in importance to Sydney is Paramatta, situated

headed a gang of desperate thieves and ruffians, on receiving sentence of transportation for seven years, turned towards the chairman and with a grin of disdain said, 'Thank your honour. I hope you may sit here until I return, when I will make you a present of a handsome ring-tailed monkey.'

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at the distance of fifteen miles from it, at the head of Port Jackson harbour. It consists of one street nearly a mile in length; its population amounts to 1200 souls, chiefly inferior traders, artificers and labourers. The principal public buildings are a church, a female orphan house, a hospital, and a manufactory of coarse cloth, in which such of the female convicts as misconduct themselves, and such as, on their arrival in the colony, are not immediately assigned as servants to families, are employed. The wool is received from the settlers, and a certain portion of the manufactured article is returned in exchange; the rest is used for clothing the gaol gang, and the re-convicted culprits who are banished to the Coal river.

There is, besides, another institution in Paramatta that does honour to its founder, the present governor, Colonel Macquarie. It is a school for the education and civilization of the aboriginal natives of the country. It is not more than four years since it was opened, and by the last accounts it contained eighteen children who had been voluntarily placed in it by their parents; and it is stated that they were making equal progress in their studies with European children, or rather with children of European parents, of the same age.

Windsor is a rising town situated near the confluence of the south creek with the river Hawkesbury, about thirty five miles from Sydney. Its population, amounting to about six hundred souls, is composed chiefly of settlers who have farms in the neighbourhood. The Hawkesbury is subject to occasional inundations, when the water rises sometimes to the astonishing height of 70 or 80 feet; owing, it is supposed, to the branch called the Nepean, running along the base of the Blue Mountains for fifty or sixty miles, collecting in its course all the mountain torrents, and pouring them into that river.

Sixty miles to the northward of Sydney, is the town of Newcastle, at the mouth of the Coal river. Its population, consisting chiefly of incorrigible offenders convicted of fresh crimes in the colony, amounts to about five hundred souls. They are employed from sunrise to sunset in burning lime, and in procuring coals and timber for the public works and for sale on government account.

The last town is Liverpool, founded by Governor Macquarie about five or six years ago. It is situated on the banks of George's river, at the distance of eighteen miles from Sydney, and has a population of two hundred souls. The river empties itself into Botany Bay, and is navigable by boats of twenty tons burden up to the town.

The state of society in all these places, is just what might be expected

pected from so heterogeneous and discordant a mass of materials as are thus thrown together: indifferent in the abstract, it is not improved by that spirit of scandal which usually exists in little communities, where every one is disposed to inquire minutely into the concerns of his neighbour. At Sydney they raised a theatre and instituted annual races, but it was found that 'they were not quite ripe for these kinds of amusements;'—the races we should have thought would have suited their taste—they have however frequent dinner and supper parties, and regular subscription balls. 'Upon the whole,' says Mr. Wentworth, 'it may be safely asserted, that the natural disposition of the people to sociability has not only been in nowise impaired by their change of scene, but that all classes of the colonists are more hospitable than persons of similar means in this country.'

The climate, as we have more than once stated, is healthy and pleasant, and the colonists are not subject to any particular diseases. The small pox was carried into the country, as is supposed, by Captain Cook, and committed dreadful havoc among the natives; the recollection of this event is still fresh in their minds, though the generation which witnessed its horrors has nearly past away. 'The moment,' says Mr. Wentworth, 'that one of them was seized with it was the signal for abandoning him to his fate. Brothers deserted their brothers, children their parents, and parents their children; and, in some of the caves on the coast, heaps of decayed bones still indicate the spots where the helpless sufferers were left to expire, not so much perhaps from the violence of the disease, as from the want of sustenance.'

The grains in cultivation are wheat, maize, barley, oats and rye; the first two are those which thrive best and are most in use; maize gives on flooded lands a hundred bushels an acre. All the garden vegetables known in England are produced freely in the colony; and Mr. Wentworth's enumeration of its fruits is quite seducing, 'peaches, apricots, nectarines, oranges, lemons, citrons, loquits, guavas, cherries, Cape, China and English mulberries, walnuts, Spanish chesnuts, almonds, medlars, quinces, grapes, pears, plums, figs, pomegranates, raspberries, strawberries, and melons of all sorts attain the highest degree of maturity in the open air; and even the pineapple may be produced merely by the aid of the common forcing glass.' To this list we are enabled to add the olive, which promises to thrive well. The first tree, carried out by Mr. McArthur, is now in full bearing, and numerous plants have been raised from it. The grape too succeeds to admiration, and almost all the varieties, at least the choicest kinds, from the continent of Europe, have been secured to the country. As colonization extends to the northward, the progress of which will be hastened

hastened by the discovery of a new port by Mr. Oxley, sugar, tobacco, cotton, and all the products of a tropical climate, will no doubt be added to those which the colony already enjoys. The wool of the New South Wales sheep is of remarkable fineness; it is found to vie with the very best Spanish wool, and it can be brought to the English market nearly as cheap as from Spain. The navigation is now so well understood, that the celerity of a passage to and from Port Jackson is quite extraordinary. From $3\frac{1}{2}$ to 4 months is now the usual length of a passage either out or home.

Nothing can better exemplify the thriving condition and general prosperity of New South Wales and its dependencies, than a comparative view of the increase of stock at different periods. By a census taken at the end of the year 1800 (twelve years after the foundation of the colony) the number of horses was only 163; of horned cattle 1024; and of sheep 6124: at the end of 1813, the horses had increased to 1891; the horned cattle to 21,513; and the sheep to 65,121: and at the end of 1817, the horses had further increased to 3072; horned cattle to 44,753; and sheep to 170,420. But the astonishing rapidity with which the population, stock and produce were increasing will best appear by the comparison of two musters, taken in the months of November 1817 and 1818.

	Number of Souls.	Horses.	Horned Cattle.	Sheep.	Hogs.	Cleared Ground.
1717. .	20,379	3072	44,753	170,920	17,842	47,564
1818* .	25,050	3675	55,450	201,240	24,822	49,600
Increase in one year. }	4,671	603	10,697	30,320	6,980	2,036

All the settlements above mentioned are situated at no great distance from the sea coast, on the belt of land, more or less narrow, between it and a range of lofty hills known to the colonists by the name of the Blue Mountains. These, though so little removed from the principal settlement, were crossed, for the first time, about the close of the year 1813, by Mr. Evans the Deputy Surveyor of the colony. On reaching the opposite side he found the herbage to be extremely good, the vallies well watered, and the mountain streams running to the westward. To two of these which assumed the character of rivers, he gave the names of the Fish and the Campbell rivers; and to their united streams that of the Macquarie. He pursued its course for ten days, passing over rich tracts of country, clear of timber, well-watered,

* Since the latter period, we believe that not fewer than 8000 convicts have been sent out.

and abounding with kangaroos and emus. To this new and promising region Governor Macquarie gave immediate directions for a road to be made, passable by carriages, which, though extending in length upwards of one hundred miles, was completed early in 1815; and over which the governor proceeded in person, in the spring of that year, as far as Bathurst plains. From this place he dispatched Mr. Evans to examine the country to the south-west, in which direction another river had been discovered, afterwards named the Lachlan.

The expeditions, of which the account is now before us, were undertaken to explore the termination of this river and the Macquarie, the direction of which was to the north-west: both were placed under the command of Lieutenant Oxley, (a zealous and enterprising officer,) Surveyor General of the territory of New South Wales. He left Bathurst, in April 1817; and proceeded, in the first place, to trace the course of the Lachlan.

‘Bathurst (Mr. Oxley says) had assumed a very different appearance since I first visited it in the suite of his excellency the Governor in 1815. The industrious hand of man had been busy in improving the beautiful works of nature; a good substantial house for the superintendant had been erected, the government grounds fenced in, and the stackyards shewed that the abundant produce of the last harvest had amply repaid the labour bestowed on its culture. The fine healthy appearance of the flocks and herds was a convincing proof how admirably adapted these extensive downs and thinly wooded hills are for grazing, more particularly of sheep. The mind dwelt with pleasure on the idea, that at no very distant period these secluded plains would be covered with flocks bearing the richest fleeces, and contribute in no small degree to the prosperity of the eastern settlement.’—p. 2.

Not far to the westward of Bathurst is a ridge of limestone hills running north and south through a very beautiful well-wooded country admirably adapted for grazing. It may here be remarked that this ridge runs on a meridional line to a great distance, perhaps the whole extent of New South Wales, as it was observed in three distinct places lying exactly north and south of each other, the extremes of which were two hundred miles apart. It also appeared that this meridional distribution was not confined to the geology of the country; but was equally noticeable in the trees and shrubberies, the same species and the same kind of grouping into clumps, or thickets, being constantly observed to take place on the same meridian, and to differ on different meridians.

On reaching the point of the river where it becomes navigable, the country assumed the appearance of a perfect level, and the soil seemed poor, except on the banks, which were high and steep, and

and on which alone large trees were found growing. The width of the river was here from thirty to forty yards. A considerable number of natives flocked down to the opposite side, about twenty of whom swam across, with their galengars or stone hatchets in their hands, which, on landing, they laid at the feet of the strangers. They were stout, well featured, and manly in their appearance, with long black beards. The words used by these people had not the remotest resemblance to those used by the natives of the coast for expressing the same objects, though at so short a distance from each other. Seven days after they fell in with another party, who came up boldly to them; they were clothed in cloaks made of the skins of the opossum, with their hair bound up in nets neatly worked; their faces were daubed with a red and yellow pigment; and the front teeth of the upper jaw were wanting in all.

The country was evidently subject to extensive inundations; and as the travellers proceeded they found the grass in some places nearly breast high, coarse, thick, and so entangled as to be almost impenetrable; in others were extensive swamps, interspersed with dwarf box and gum trees: swans and other water fowl were in great abundance. The navigation of the river was frequently interrupted by fallen trees, and so winding was its course, that the distance by water was nearly three times that by land. It was, however, found to be rich in excellent fish.

‘One man in less than an hour caught eighteen, one of which was a curiosity from its immense size, and the beauty of its colours. In shape and general form it most resembled a cod, but was speckled over with brown, blue, and yellow spots, like a leopard’s skin; its gills and belly a clear white, the tail and fins a dark brown. It weighed entire seventy pounds, and without the entrails sixty-six pounds: it is somewhat singular that in none of these fish is any thing found in the stomach, except occasionally a shrimp or two. The dimensions of this fish were as follow:

	Feet.	Inches
Length from the nose to the tail . . .	3	5
Circumference round the shoulders . . .	2	6
Fin to fin over the back . . .	1	5
Circumference near the anus . . .	1	9
Breadth of the tail . . .	1	1½
Circumference of the mouth opened . . .	1	6
Depth of the swallow . . .	1 foot.	

—*Journal*, p. 24.

On the 11th of May, the party had reached a spot of the dead level through which the river flowed, where it appeared to lose itself in a multitude of branches among marshy flats; and where a rise of four feet would have been sufficient to sweep them all away;

away; since there was not within sight the smallest eminence to retreat to. Lieutenant Oxley therefore determined to strike off to the south-west for Cape Northumberland, knowing that if any river emptied itself into Bass' Strait between Spencer's Gulf and Cape Otway, that course would intersect it; and that if the Lachlan united itself into one stream, beyond the marshes, he would thus be most likely to fall in with it. The party accordingly commenced their journey, and at the end of five weeks came again, unexpectedly, upon the banks of the Lachlan, much diminished in size, but still running in a tolerably brisk stream to the westward.

The country over which they had travelled to gain this part of the river was of the most miserable description; and the sufferings of the party from fatigue, and want of water, were very great. In some places they fell in with a little grass in patches, just sufficient to keep their cattle alive, but this was of rare occurrence. 'It is impossible,' says Mr. Oxley 'to imagine a more desolate region; and the uncertainty we are in, whilst traversing it, of finding water, adds to the melancholy feelings which the silence and solitude of such wastes are calculated to inspire.' As the party advanced to the north-west, they came to a low range of stony hills equally barren with the sandy deserts which they had passed; these, however, abounded with dogs, whose howlings were incessant by day as well as by night. As there was no appearance of any kind of game, it was concluded that the principal sustenance of these wild animals must be rats, which had undermined the whole country. The natives eat these dogs; and the present party, when short of provisions, agreed in thinking them by no means unpalatable.

On the 23d June the appearance of a flock of large kangaroos, of emus and bustards, and the change of the soil from loose sand to stiff tenacious clay, bearing evident marks of occasional inundations, left little doubt on the minds of the party that a river would be met with at no great distance; and accordingly, as we observed above, they all at once found themselves upon the banks of the Lachlan, the course of which they now determined to follow. The face of the country continued to present a dead level on all sides, and, in the neighbourhood of the river, was full of bogs and swamps. 'We seemed,' says Mr. Oxley, 'the sole living creatures in those vast deserts.' There was no object to relieve the eye but a few scattered bushes, and occasionally some dwarf box-trees; the view being as boundless as the ocean.

Our travellers however still proceeded down the stream till, on the 7th July, it became evident that the channel was the bed only of a lagoon, the current being now imperceptible, and the waters

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and morasses so intercepting each other as to render all farther progress impossible. The water was muddy, and the odour arising from the banks and marshy ground offensive in the extreme. Mr. Oxley determined to return, concluding, rather summarily we conceive, 'that the interior of this vast country was a marsh, and uninhabitable.' 'Perhaps,' he adds, 'there is no river, the history of which is known, that presents so remarkable a termination as the present: its course in a straight line from its source to its termination exceeds five hundred miles, and including its windings, it may fairly be calculated to run at least twelve hundred miles; during all which passage, through such a vast extent of country, it does not receive a single stream in addition to what it derives from its sources in the eastern mountains.'

Nothing now remained for the party but to retrace their weary steps; in doing which, to their utter astonishment, they observed that the same river which, the day before, was so shallow that it could be easily forded, and whose stream was scarcely perceptible, was now rolling along its agitated and muddy waters nearly on a level with the banks, though for many days there had not been a cloud in the sky. It was now determined, as soon as they could contrive to cross the river, to proceed northerly, with the view of falling in with the Macquarie, the course of which they knew to be to the north-west. From the 11th July to the 3d August they continued to skirt the banks of the Lachlan; when they succeeded in crossing it on a raft. Mr. Oxley complains, and, we think, not unreasonably, of the weariness experienced from the uniform barrenness and desolation of this part of New South Wales, where 'one tree, one soil, one water, and one description of bird, fish or animal, prevails alike for ten miles, and for one hundred!'—and seems to pine after that last consolation of the unhappy, 'variety of wretchedness.'

The party did however discover several new plants, and two new species of kangaroo, one of them so small that they gave it the name of the rabbit kangaroo. They heard also two night-birds, one remarkable for its imitation of the calls of the natives, the other for that of the short sharp bark of their dogs. They met, too, with a tumulus or grave, apparently of recent construction; it was a cone about five feet high, surrounded by semicircular seats. On opening it, the earth to the depth of about four feet was found to be supported by three or four layers of wood, beneath which were several sheets of bark on a bed of dry grass and leaves in a state of perfect preservation; and under all, the body, with the face downwards and the head to the east, the feet bent quite back, and the arms between the thighs. The body was wrapped in a number of opossum skins, and the head enveloped in

the net usually worn by the natives. Two cypress trees at a little distance had been barked on the sides next the tumulus, and some curious characters deeply cut into them. A fac simile of them would have been desirable.

It is unnecessary for us to follow Mr. Oxley very closely in his north-eastern tour. The country was somewhat improved but still destitute of water, from the want of which his party suffered greatly. After travelling upwards of a hundred miles from the Lachlan, they reached a beautiful valley, where they halted to recruit their exhausted strength.

'We had just pitched our tent when hearing the noise of the stone-hatchet made by a native in climbing a tree, we stole silently upon him, and surprised him just as he was about to descend: he did not perceive us until we were immediately under the tree; his terror and astonishment were extreme. We used every friendly motion in our power to induce him to descend but in vain: he kept calling loudly, as we supposed for some of his companions to come to his assistance; in the mean time he threw down to us the game he had procured (a ring-tailed opossum), making signs for us to take it up: in a short time another native came towards us, when the other descended from the tree. They trembled excessively, and, if the expression may be used, were absolutely *intoxicated* with fear, displayed in a thousand antic gestures, convulsive laughing, and singular motions of the head. They were both youths not exceeding twenty years of age, of good countenance and figure, but most horribly marked by the skin and flesh being raised in long stripes all over the back and body; some of those stripes were full three quarters of an inch deep, and were so close together that scarcely any original skin was to be seen between them. The man who had joined us, had three or four small opossums and a snake, which he laid upon the ground, and offered us. We led them to our tent, where their surprise at every thing they saw clearly showed that we were the first white men they had met with; they had however either heard of or seen tomahawks, for upon giving one to one of them, he clasped it to his breast and demonstrated the greatest pleasure. After admiring it for some time they discovered the broad arrow, with which it was marked on both sides, the impression of which exactly resembles that made by the foot of the emu; it amused them extremely, and they frequently pointed to it and the emu skins which we had with us. All this time they were paying great attention to the roasting of their opossums, and when they were scarcely warm through, they opened them, and, taking out the fat of the entrails, presented it to us as the choicest morsel; on our declining to receive it they ate it themselves, and again covered up the opossums in the hot ashes. When they were apparently well done, they laid them, the snake, and the things we had presented them with, on the ground, making signs that they wished to go; which of course we allowed them to do, together with their little store of provisions and such things as we were able to spare them. The collection of words which we had made at the depot on the Lachlan, we found of no

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use, as they did not understand a single one. They had neither of them lost the upper front tooth, though apparently men grown.'—pp. 171—173.

In the centre of this valley was a strong and transparent stream dashing over a gravelly bottom, and the hills which inclosed it were covered to the summits with cypresses and acacias in full blossom. No less to their delight than astonishment, they soon discovered that this beautiful stream joined a large river, whose width, as appeared by the banks, could not be less, in time of flood, than from six to eight hundred feet. It was that of which they were in quest, the Macquarie. 'Different in every respect from the Lachlan,' says Mr. Oxley, 'it here formed a stream equal to the Hawkesbury at Windsor, and in many parts as wide as the Nepean at Emu plains.'

Near this place our travellers again crossed the ridge of limestone formation running to the northward; from hence to Bathurst plains, where they arrived on the 29th August, the whole of the intervening country was uninterruptedly rich and beautiful.

The magnitude of the Macquarie, at the point it was fallen in with, excited a sanguine expectation, that either a communication with the ocean, or with interior navigable waters, would be discovered by following its course; and on this ground the governor directed a Second Expedition to be undertaken, which was again intrusted to the direction of Mr. Oxley, who left Bathurst on the 28th May, 1818.

'For the first twelve days,' says Mr. Oxley, 'we enjoyed all the necessaries and many of the luxuries of life; but though fish, flesh and fowl were abundant, there were no human beings but ourselves to enjoy them.' The river continued of noble width and appearance; had few rapids, and offered no obstruction to navigation. On the sixteenth day, for the first time, the party fell in with two families of natives, who made their escape, with the exception of an old man, and a boy who was in a tree, and whom no intreaties could bring down; both of them appeared to be petrified with terror.

On the eighteenth day of their journey, every hill and eminence disappeared; the face of the country presented as perfect a level as that through which the Lachlan winds its way; and they found themselves entering on the same kind of low swampy ground as that which arrested their progress before. On the 29th June, the river began to overflow its banks, and to spread over a great extent of country. Considering it unsafe to proceed with the horses and baggage, the latter were sent back to the nearest eminence; and on the 2d July, Mr. Oxley proceeded down the river

in the boat about thirty miles, through a country so flooded on all sides as to appear a perfect sea. The next day, following the main channel of the river about twenty miles farther, he entirely lost all sight of land and trees, the channel winding through large beds of tall reeds (the *arundo phragmites*), among which the water was only about three feet deep. Proceeding about four miles farther he perceived the whole inundation running with the same rapidity as the river had done within its banks; and concluded that he was now entering upon the great lake or inland sea into which he conjectured the mass of water conveyed by the Macquarie to be discharged. This point of junction with the interior waters, or where the Macquarie ceased to have the form of a river, lies in lat. $30^{\circ} 45'$ S. long. $147^{\circ} 10'$ E.

'To assert positively,' says Mr. Evans, 'that we were on the margin of the lake or sea into which this great body of water is discharged, might reasonably be deemed a conclusion which has nothing but conjecture for its basis; but if an opinion may be permitted to be hazarded from actual appearances, mine is decidedly in favour of our being in the immediate vicinity of an inland sea, or lake, most probably a shoal one, and gradually filling up by immense depositions from the higher lands left by the waters which flow into it.'—*Journal*, p. 244.

With this notion impressed on his mind, and in the course of navigating nearly sixty miles on this inundation, it is very remarkable that it should never once have occurred to Mr. Oxley to *taste* whether the water was fresh or salt; as that circumstance would have nearly decided the question of the termination of the Macquarie in a mediterranean sea, or of its course being resumed beyond the expanse of waters.

The great inundation however evidently proceeded from freshes, which continued to increase with such rapidity, as to cover the whole of the flat country as far back as the spot to which the party with the baggage and horses had retired, presenting a most dreary and melancholy scene; but the rising continued only for a few days, when the inundation again subsided with equal rapidity. Our travellers however were in no condition to proceed; and they therefore prudently commenced their return to the eastward. In this journey they fell in with various streams, (one of which, as large as the Macquarie, they named Castlereagh,) all running in a northerly direction; but as Mr. Oxley expresses it, they had 'to struggle through a line of country that baffles all description; and were literally up to the middle in water the whole way.' Even when all traces of water had disappeared, and they were in the midst of an apparently dry forest of iron bark and cypress trees, the water sprang up at every step which the horses took, and the ground sunk with them to their girths.

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The moment, however, that they approached the limestone formation, the country again became beautiful, and kangaroos appeared in great abundance. On the 2d September they reached a large stream running, like the rest, to the northward.

'This was the largest interior river (with the exception of the Macquarie and Castlereagh), which we had yet seen. It would be impossible to find a finer or more luxuriant country than it waters: north and south, its extent is unknown, but it is certainly not less than sixty miles, whilst the breadth of the vale is on a medium about twenty miles. This space between the bounding hills is not altogether level, but rises into gentle inequalities, and independently of the river is well watered; the grass was most luxuriant; the timber good and not thick: in short, no place in the world can afford more advantages to the industrious settler, than this extensive vale. The river was named Peel's River, in honour of the Right Hon. Robert Peel. A great many new plants were found to-day and yesterday, chiefly of the orchis tribe: we saw numbers of the ornithorynchus, or water mole, in the river, also a few turtle: we were not successful in obtaining any fish, so that we were unable to decide whether it contained the same species as the Macquarie.'—p. 284.

It is worthy of remark that, although the surface of the country had now so much improved, and all the productions as well animal as vegetable were of superior growth, the appearance of the few natives seen was most miserable, 'their features approached deformity, and their persons were disgustingly filthy: their small attenuated limbs seemed scarcely able to support their bodies; and their entire person formed a marked contrast to the fine and manly figures of their brethren in the interior.'

On the 7th September the party crossed the meridian of Sydney, and at the same time reached the elevated ridge of mountains which divides the waters running west from those which fall into the sea on the eastern coast; on the 23d of the same month they gained the summit of what Mr. Oxley considers one of the most elevated peaks in this range, and the height of which he estimates at from six to seven thousand feet. From this mountain they could discover the sea at the distance of fifty miles; and they had also the gratification to find at its feet, the sources of a large river running easterly towards the coast. Following this stream until the 8th October, they arrived on the beach, near the entrance of a harbour into which it fell.

This port or inlet is situated in lat. $31^{\circ} 25' 45''$ S. long. $152^{\circ} 53' 54''$ E. It had been noticed by Captain Flinders as a lagoon or inland lake, the distance he was obliged to keep from the coast having hid from him the entrance. This has a bar of sand across it, on which at low water spring tides the depth of about nine feet; the tide then rising from three to four feet; but

within, the depth increases to five or six fathoms, and continues so for about ten miles into the interior.—They gave to the port the name of Macquarie, and to the river that of Hastings. In the neighbourhood were great quantities of the gum tree, of rose wood, and of coal. A stratum of this mineral appeared to pervade the whole of the south side of the harbour as far as Camden. It is intended to make this spot the Botany-bay of New South Wales, instead of the Coal River.

These expeditions of Mr. Oxley have, we conceive, pretty nearly settled two points of some importance. The first is that colonization is not very likely to extend beyond two hundred miles from the eastern coast; and that, from the nature of the interior, the settlers will have nothing to apprehend from any foreign power planting its subjects on the western shore, as was once said to be the intention of the French. The second is the improbability of either the Lachlan or the Macquarie reaching any part of the sea coast, and the total inutility of both for any commercial purposes. Indeed we may now venture to go a step further, and assert that no river of any magnitude empties itself into the sea, on the northern, western or southern coasts of New Holland.

It was satisfactorily ascertained that in those parts of the coast examined by Captain Flinders, D'Entrecasteau and Baudin, no river of any magnitude discharged its waters into the sea; and that most of the great openings or inlets terminated either in low swampy land, or salt marshes, or were bounded by sand hills. These navigators, however, still left unexamined a line of coast on the western side, extending from lat. 22° to 11° S. bearing the names of De Witt's land, Dampier's land, and Van Diemen's land. The greater part of this coast had never been even seen, much less investigated. It was possible, therefore, that in some part of it a considerable river or rivers might exist to drain off the waters from this immense continent; and it was not an unreasonable speculation, that, as the Macquarie and all the inferior streams in its neighbourhood tended to the northward and westward, one or all of them might find their way across the continent and be discharged into the sea on the north-western coast. This supposition was rendered the more probable, as our old and excellent navigator Dampier had recorded his opinion of a great strait or river opening out behind the Archipelago of the Rosemary Islands; a conclusion to which he was led by the circumstance of a remarkable current setting out from the coast beyond those islands, sufficiently strong to prevent his vessel from approaching the main land.

This conjecture, however, has not been verified. Lieutenant King was sent out by the Admiralty about two years ago to survey the

the remaining part of the coast of Australia, commencing with the southern extremity of Terre de Witt, near which the Archipelago in question is situated. He began his examination at Vlaming's Head, or the North-west cape, in lat. $21^{\circ} 45'$, which he found to be the northern extremity of a deep bay to which he gave the name of Exmouth Gulf. It contained excellent anchoring ground in every part; but the surrounding shores were sandy and sterile, and without any stream falling into the bay.

From Vlaming's Head to lat. $20^{\circ} 30'$ and from long. 114° to 118° the space was occupied by a group of islands, to which he gave the name of Dampier's Archipelago. One of them is the Rosemary Island of that great navigator, near which, and indeed through all the passages of the Archipelago, he found the tide running strong; but nothing in the shape of a river appeared on any part of the coast, which was generally low and covered with mangroves, behind which was observed an extensive tract of inundated marshy country like that described by Lieutenant Oxley.

Having examined the Archipelago, Lieutenant King stood out to sea, and made the coast again in lat. 12° near that part which in the charts is named Cape Van Diemen. This cape was found to be the northern extremity of an island, between which and the continent was a narrow strait; and to the eastward of this was another island, separated in like manner by a strait from one to three miles wide, with fine anchorage through the whole extent; the shores on either side being thickly lined with mangroves. Between these two islands, and the 'Arnheim's Land' of the charts, is a deep gulf with good anchorage in every part, to which Lieutenant King gave the name of Van Diemen's Gulf. In the bottom of this was discovered an opening, which appeared to be the outlet of a considerable river meandering through a low marshy country; the banks were covered with mangroves, but the open plain behind was clothed with thick coarse grass, as far as the eye could reach from a point thirty miles up the river, to which distance the Lieutenant ascended: here it was about a quarter of a mile in width, and from three to four fathoms in depth; it exhibited, however, no indications of a large river, but appeared rather a great drain, with no other current than what was given to it by the ebbing and flowing of the tide.

Lieutenant King, we understand, is still employed in completing the survey of the 8 or 9 degrees of latitude on the north-west coast, which still remained to be examined; but, from the apparent nature of that coast, he entertained but slender hopes of any great river being discovered. It is just possible, that the waters of the Macquarie, and the numerous streams which Lieutenant Oxley discovered, all running to the northward, may be

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drained off by the deep channel which opens out into Van Diemen's Gulf; but, even in this case, it can only be a mere drain, the little elevation above the sea of the point from whence Mr. Oxley returned, and its great distance, (being at least 2000 miles from the gulf,) scarcely admitting of the possibility of the water running in a continued current. Probability however is against the supposition; and it may rather be concluded that the surface of this vast country somewhat resembles that of a shallow basin whose margin surrounds the sea coasts, from which the waters, descending towards the interior, form a succession of swamps and morasses, or perhaps a vast mediterranean sea.

It is satisfactory to know, that the survey of the whole coast of this immense island will be completed by British navigators; and that Lieutenant King had proceeded to put the finishing hand to this survey long before Captain Freycinet, of the French ship *Uranie*, since wrecked, had arrived at Port Jackson.

ART. III.—1. *Il Conte di Carmagnola: Tragedia*, di Alessandro Manzoni. Milano. 1820.

2. *Ricciarda: Tragedia*, di Ugo Foscolo. Londra. 1820.

3. *Francesca da Rimini: Tragedia*, di Silvio Pellico. Milano. 1818.

IT is remarkable that, in proportion to her abundance and richness in every other department of literature, Italy has been singularly barren of excellence in the higher walks of the drama. Indeed, with the exception of Alfieri, she has no one great name in tragedy. Among the Romans it is perhaps not difficult to account for the deficiency. The character of that people seemed to require a sterner and less intellectual kind of diversion; and though Roscius was a Roman, and though Cicero pleaded for him, we hear in their writings far more often of the arena than of the theatre. In general their imaginations rarely indulged in invention; they acquiesced in their own poverty, and were content to copy with servility the fanciful mythology of the Greeks, considering it as their highest praise if they transfused it with felicity into their own language. In fact, the poet was not commanded to look abroad into nature, or to strike out a path for himself:

— vos exemplaria Græca
Nocturnâ versate manu, versate diurnâ,

was the constant advice of their most consummate critic.

Nor, perhaps, had they reverted to their own history, would they have found much to inspire the tragic poet. Elevating subjects would not indeed have been wanting; but there was a rigid uniformity in their earlier manners, little adapted to the free

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workings of the passions; while tenderness and the softer emotions might seem, as it were, under a proscription among them, appearing to excite little interest or sympathy. They were on the whole a stately, a formal, and, as far as the nature which poetry delights to paint is concerned, an unnatural people. Hence in the modern tragedies on Roman subjects, *Coriolanus*, and *Julius Cæsar*, and *Cato*, as well as in those of *Cornille* and *Alfieri*, the lofty energy and laboured dignity of the men are exalted and truly tragical; but every address to the softer feelings, every attempt at the pathetic, either entirely fails or appears misplaced. They are too austere to move pity; and even the female characters partake of the general severity; if they are drawn faithfully, they awaken no interest; we cannot feel for those who, as it were, disdain our compassion: if they are, as females must be in poetry to awaken our sympathies, tender, gentle, or ardent, they are out of keeping with the general tone of the picture; they become women, but cease to be Romans.

But as their characters were little formed for the entertaining, so was the language of the Romans peculiarly ill-adapted to the free expression, of earnest and vivid emotion. Though wrought by the exquisite skill of *Terence* to an easy felicity of common-life dialogue; when it aspired to great strength or dignity, it seemed to require an artful and elaborate collocation of words. It admitted not the being abrupt and unfinished; every word in each sentence had its proper place; and this construction is more forced and artificial than in other languages: it delighted in inversion, and whoever will read the 'dry chips,' as they have been called, of the pseudo *Seneca*, will perceive that all the failure is not to be traced to the frigidity of the poet; passion itself seems to speak the language with effort; the inflexible idiom will not yield to the rapid transitions, and imperfect phrases, of impassioned dialogue; it must be laboured into precision, or it becomes unintelligible.

But the modern Italians, the slaves of vehement and intense passion, with their annals full of those subjects on which the dramatic poet delights to exercise his powers, striking events brought about by characters under the influence of impetuous and ardent feeling, and confined within a narrow sphere of action;—the modern Italians, with a language equally capable of expressing the most violent and tumultuous agitation of the soul, or of melting to the most luxurious softness—have nevertheless abandoned those sources of interest and excitement, which almost forced themselves upon them; have neglected a history tragic in every page, and abounding in terrific crime and generous virtue; and have wasted their skill and power on subjects alien to their
genius

genius and national character. We shall not pause to inquire in what manner the peculiar political circumstances of Italy may have operated to discountenance the national drama; how far the want of a metropolis may have been felt, and the existence of one theatre, whose taste, decisive of fame or of condemnation, might have stimulated dramatic talent to attempt every possible way of pleasing an audience, where it is probable that sooner or later the right string would be touched, and, having been found in unison with the hearts of the people, would have invited some masterly hand to strike it. For, unquestionably, in the earlier times, had any genius arisen of transcendent excellence in this line, the Italian princes who, whether from ostentation, or from real love of intellectual enjoyment, fostered the fine arts, would have vied for the patronage of a poet so eminent; and in the republics, however absorbed in domestic faction, the power and influence of such a writer would have been at once acknowledged. The real solution of the difficulty assuredly is, that all those who might perhaps themselves have done better things, or at least have led the way and directed the poetic feeling into the proper channel, deliberately preferred servile imitation. They turned aside from the dark feuds among the princes of their own country; from the wild and picturesque warfare of their condottieri; from the records of cities, every one of which was full of Montagues and Capulets; from their expeditions among the islands of the Archipelago; from the adventures which at one period occurred daily upon their coasts, the meetings of Christians and Saracens, and the consequent tales of hazard and captivity; and from the fierce divisions of families on account of political or religious difference. Guelfs and Ghibellines, Bianchi and Neri, were left to the precise page of the annalist, or the romantic tale of the novelist; while tragedy was occupied in awakening the spirits of the departed heroes of Greece,—who arose indeed at their call, but how unlike their noble prototypes! We are not altogether, however, without suspicion, that our own early associations may, to a certain degree, have misled our judgement. What Lord Byron has said of Venice being endeared and hallowed to us, as it were, by Shakspeare and Otway, is not less true of Italy in general. From the Italian novelists our own great tragic writers drew most of their successful pieces; and, consequently, the scene of most of our popular dramas, with the exception of those founded on our own history, is laid in some one or other of the Italian cities. Hence Verona and Milan, and Florence, and Naples, are to us as the sacred places of tragedy; we cannot hear of the Rialto without thinking at once of Shylock, of Othello, and of Pierre; while, perhaps, those very

names

names which sound to us as peculiar and set apart for the use of poetry, may to the natives be but as 'household words,' too familiar for the dignity which our southern neighbours have always considered as essential to tragedy.

That we may not, however, be supposed to have formed our opinion rashly, we propose giving a slight sketch of the Italian tragic drama, previously to entering upon the merits of the poems which stand at the head of our article. For this purpose we shall make use of Maffei's collection, and the '*Teatro Antico*,' published at Milan in the years 1808-9, with the laudable design of disproving the barrenness of the Italian drama, anterior to Alfieri, though we conceive without success equal to the praiseworthiness of the object. We are induced to this by reverting to the only book in our language which professedly treats on this subject, that of Mr. Walker, a critic so profuse and indiscriminate in his eulogy, as to render him a very uncertain and treacherous guide. Many notices, however, of scarce dramas may be gleaned from his work, as he seems to have laboured with great and exemplary diligence in the illustration of his subject.

Trissino, the author of the *Italia Liberata de i Goti*, the most unpoetical poem (and it is a hardy assertion) with which we are acquainted, in which the imitation of the ancients is carried to the most injudicious and indeed ludicrous pitch of servility, has derived a considerable portion of celebrity from having first attempted to revive, what is called, the classical drama. His tragedy is certainly far superior to his epic; and there are a few touches of tenderness, which in some degree enliven this regular, but tame production. There is something very moving in the fondness of Sophonisba for her child, apparently increasing as the life within her grows more feeble; and the melancholy exclamation of the chorus struck us forcibly from its simple feeling; while the beautiful Queen is expiring, they look on her, and say of her death,—

Ahi ma, che questa e pur troppo per tempo,
Ch' ancor non siete nel vigesim' anno.

Still, with due deference to Pope's critical decision,

With arts arising, Sophonisba rose,
The tragic muse returning, wept her woes.
With her th' Italian scene first learn'd to glow,
And the first tears for her were taught to flow,

we cannot but think that little warmth could be excited, and few tears taught to flow, by the poetry of Trissino. In fact it never seemed to enter into his conceptions to cast that ideal and vivid colouring over his subject, by which poetry is distinguished from prose; it was at best but history in its cold and sober truth,
broken

broken into scenes, and arranged in verse. The Rosmunda of Rucellai followed rapidly the Sophonisba. This too is an inartificial and naked versification of that tremendous story familiar to every reader of Gibbon. The bride on her nuptial day is forced to drink out of the skull of her father, and revenges herself on her barbarous husband by means of a former lover. The atrocity is not so skilfully prepared as to excite terror, and of course there is no character to which we can attach any feeling but that of perfect abhorrence. The Oreste of the same author is better, because in fact it is little more than a free imitation of the Iphigenia in Tauris of Euripides. Mr. Walker quotes from this piece a passage of very pleasing description, and indeed the exquisite interest of the story is in general well preserved. The example thus set, the Italian theatre overflowed with imitations from the great Grecian Triumvirate, but none of the writers appear worthy of being rescued from the obscurity to which they have long been consigned. Ludovico Dolce and Luigi Alamanni were writers of forgotten epics as well as of forgotten tragedies; Sperone Speroni lives rather in the hatred of posterity as the enemy of Tasso, than in their gratitude as author of the 'Canace.' We should have formed higher expectations of Giralaldi Cinthio; but tragedy is far more indebted to him for the assistance which he gave to Shakespeare in some of his novels, than for his own original compositions.

Occasionally the Muse of Italian tragedy forsook the track of her predecessor in Greece, that she might fill her bowl to the brim with blood; and in truth the drama of most modern nations appears to have experienced one access or more of this blood-thirsty fever. He becomes the favourite poet who can conceive the blackest crimes, and contrive to immolate the greatest number of human victims. We ourselves have had two periodical returns of this disorder, one in the days of 'King Cambyzes' and Titus Andronicus, another in those of Dryden and the rhyming school of tragedy; and Mr. Shelly seems inclined to force us into a third. Our neighbours, the Germans, have it however full upon them; every monthly magazine teems with some new and delectable tale of incest and murder, formed most rigidly upon Mr. Schlegel's principle of fatality—a principle carried infinitely too far by that original critic himself in his view of the Grecian theatre, and most exquisitely burlesqued by his prolific countrymen. It will perhaps cause some surprise if, after all, we put in a claim for the palm of unmitigated horror, and of predominant fatalism, in favour of the forgotten poets of whom we write. It would indeed be difficult to find any works in which 'on horror's head horrors accumulate' in such abundance as in the *Orbecche*, the *Canace*, the *Solimano*,

Solimano, and we wish we could have excepted the Torrismondo of Tasso. The early interest in this play arises from the infidelity of Torrismondo to his friend, in whose behalf he had promised to win the fair Alvida, by the beauty of whom he is inveigled into wedding her himself; and this alone would have been quite sufficient to carry the reader through the drama. It is nevertheless perplexed and overlaid by a second and more revolting source of terror. We must add to this that Tasso followed his predecessors in the interminable length of his speeches, and in the general heaviness with which his plot is framed. The Acripanda of Decio della Horte, the friend of Tasso, is however by far the most striking of these tragedies, with higher poetical beauties, but at the same time with greater extravagance, than any other. The play is opened by the Ghost of Orsilia, the murdered wife of Ussimano, King of Egypt. She appears invoking and prophesying vengeance against her murderer and all his house, in language of considerable power. In the second scene Ussimano determines, notwithstanding the remonstrances of his Counsellor, to go out to battle against the King of Arabia, who is come up to besiege him in Memphis. The third scene introduces us to Acripanda, the second wife of Ussimano, who enters with her faithful nurse, an indispensable personage and the constant confidante in these plays. Acripanda is in such an agony of terror as not to know how she came without the palace. Pressed to relate the cause of her fears, she describes with great prolixity a dream from which she has just awakened, and in which she had seen a wolf preying on two beautiful lambs, and an eagle pursuing the young of a nightingale. But the more fearful part of the vision followed.

Anon I heard, while yet I lay confounded
At that most strange and savage cruelty,
A loud, a furious, an appalling voice:
And thrice it called me by my name. I trembled,
I shuddered, and mine hair did stand an end;
My countenance fell, and the quick-ebbing blood
Left my extremities cold and dead, retreating
To succour the cold terror-stricken heart.
And here I turn'd, and there I turn'd mine eyes,
To see whence came the sound; and then I heard
That self-same voice cry out—"Ah, guilty woman,
Still hear'st thou not? still wilt thou not behold me?"
And lo! half hidden in a cloud appear'd
A lady beautiful at once and fierce,
For her wild fierceness quench'd not all her beauty.
Menacing her gesture, and her look in wrath;
In her left hand a glittering sword she shook,
And in her right a blazing torch. Anon,

Pursuing

Pursuing her discourse, she said—"Oh, once
 A shameless harlot, now an infamous wife!
 Source of so many evils! art thou still
 Number'd among the living? art thou here,
 Here breathing, false adulteress? and so long
 Dar'st thou offend me, thus with mincing tread
 Within my chamber wantoning!—the bower
 Wherein thou sleep'st is mine, and thou usurpest.
 Mine is this palace! Of this spacious realm,
 And of this stately city, I am queen!"
 While yet she spake, 'neath her left breast she bared
 A wound, that shone like fiery carbuncle,
 Pouring a stream of blood, which all bedew'd
 Her side with crimson. She went on, "This heart,
 This bosom, bared and wounded as thou seest,
 Thou, thou didst bare, didst wound, and well thou knowst it."
 But when the blood, that had recoil'd, once more
 Flow'd though my veins, and in its wonted freedom,
 Again my slumbering virtue rose within me:
 "Spirit," I said, "that in a shape so lovely
 Dost shroud thyself!—from childhood I grew up
 A stainless virgin; and since in the knot
 Of holy wedlock bound, I've lived, a model
 And perfect rule of faith and constancy;
 I never wrong'd thee: but if thine indeed
 This royal seat, I'll give thee strict account.
 Yet if thou'rt not as cruel as thou'rt beautiful—
 What art thou, speak, a phantom or a shade?
 A spirit releas'd, or still in fleshly bondage?"
 Thus having said, thrice I advanced to meet her,
 Thrice she drew back, and then she disappeared,
 And disappearing said, "Ere many hours,
 By dark Avernus and the Stygian waters,
 We meet again; there who I am thou'lt know."

After the rest of the scene, which is very heavy, the queen departs to implore the protection of Heaven upon her husband and her children; the nurse remains to soliloquize upon the crimes of Ussimano, and upon the miseries impending over her beloved child, on whose character she dwells with excessive and not unpleasing fondness. Acripanda appears again in the second act; her sacrifice had been interrupted by dreadful prodigies; the victim had disappeared; wild noises had been heard; the image of Jove had averted its face, and tears and gore had stood on that of Isis, while the very ghost which she had seen in her vision burst from a sepulchre and followed her, crying 'blood! blood!' A messenger then enters, who gives a long and partly lyrical account of the battle and the defeat of Ussimano; Acripanda's lamentations

mentations have considerable beauty, but there is a most chilling transition to Ussimano's moralizing counsellor, who occupies two pages with ancient and modern examples of the crimes and fall of kings; and even when Ussimano enters, the inexorable counsellor plies him with Hannibal, Pompey and Darius. The third act opens with a scene in which the nurse takes the opportunity of the dreadful danger and distress to give Acripanda a long and indecent account of what she knew tolerably well before, but which, as Mr. Puff says, the audience could not be expected to know—the beginning of Ussimano's attachment to her. She proceeds, finding the occasion favourable, and Acripanda (we answer not for the reader) unwearied, to detail what the unhappy queen did not know, the murder of his former wife, Orsilia, by Ussimano; she enters into the minutest circumstances, some of which might be affecting if not so egregiously misplaced. We also have the dying words of Orsilia, which are very long, and the account of one of the children having been exposed on the banks of the Nile, like 'Cyrus and Moses and Romulus and Remus,' as Acripanda subjoins. This child is the very King of Arabia (and we are informed at length how he became so) who is besieging Memphis, and has already defeated Ussimano—thus justifying Acripanda's exclamation on the whole story—'Istoria in vero degna di tragico coturno!' Acripanda then beseeches the offended spirit of Orsilia, whom she now recognizes to be that by whose presence she has so long been haunted, to spare at least her children. A messenger arrives from the King of Arabia to demand a conference with Ussimano; terms of peace are agreed on, and the children of Acripanda sent as hostages. Her forebodings were too true, and the fourth act opens with one of the most extraordinary and striking scenes we are acquainted with, between the mother and the spirits of her murdered children. We can conceive, with beautiful music and splendid acting, a great effect produced by it on the stage.

Spirits. Mother, oh beloved mother,

To thy children ever dear,

Turn thine eyes and see us here.

Acripanda. I know not if I hear or seem to hear

A voice. Heard ye it, damsels?

Chorus. We did hear it.

Acripanda. Still, oh still, I gaze around,

Yet I see not whence the sound.

Spirits. Turn thee, mother, turn and see!

Thy son, thy daughter, know'st thou not?

Are then our looks, our voices, all forgot?

Acripanda. Alas! I know you now—I see—

My sweet infant twins are ye—

Yet

Yet not rightly can I deem—
 If I wake, or if I dream.
 In yon cloud—what do ye there?
 Miracles, like those of old,
 Are come to pass, and I behold—
 In truth my gentle babes ye are!
 Haste, descend unto my breast!
 That with all a mother's bliss,
 Many a fond and fervent kiss
 On your breathing cheeks be prest.

Spirits. Vainly to kiss thy infants' cheek,
 Dearest mother, dost thou seek.
 Each is but the naked spirit
 Of thy much-lov'd child, and we
 Yearn'd our mother's face to see,
 Ere to heaven our way we wing;
 What from thee we did inherit,
 Our mortal bodies, hath the king,
 That promis'd peace with treacherous guile,
 Left mangled on the banks of Nile.

Acripanda. And are ye then departed?
 And I your mother, cold and cruel-hearted,
 Yet, yet, remain alive!

Spirits. Oh, gentle mother,
 Let it not grieve thee, dearest, so,
 That we from this dead life below,
 This world of death, that life alone
 Thou call'st, to real life are gone;
 And denizens are now become,
 Where, in his everlasting home,
 With other crown shall Jove adorn
 Our brows, than what in right of birth
 Our kingly foreheads should have borne
 Here upon this ball of earth.
 And, oh, what glory higher
 For us would'st thou desire—
 We in the immortal clime
 Are with the spirits innocent,
 The thousand thousands of the blest,
 Where chance and fatal accident
 Can injure us no more.
 But in the briefest point of time
 Our rapid foot can tread from east to west;
 Then do not thus deplore,
 And with thy tears disturb our holy rest;
 But wait thee gladly here,
 And in thy mortal sphere
 Live all thy days, and ours, beloved mother.

Acripanda.

Acripanda. Alas ! and whither do ye fly,
Releas'd from your mortality ?

Spirits. We go your heavenly mansion to prepare.

Chorus. Behold ! behold ! how rapidly,

Upward to the starry sky,

Now they cleave the yielding air !

All their bright and misty shroud

Now is but a scattered cloud.

I see the heavens above them, where they rose ;

I see them open now, and—now they close !

A chamberlain now enters, and describes with great pathos the fate of the children. The King of Arabia had sacrificed them, and made a libation of their blood, to the spirit of his murdered mother, Orsilia. The description begins well, and is continued admirably for some time ; but as the poet advances, he falls into such horrible details, that the reader closes the book in disgust—happy indeed if he do not proceed to the most dreadful violation of all common feeling of which we know an example in tragedy. The remains of the children are introduced, and the mother deliberately apostrophizes the various limbs, and concludes by endeavouring to put them together again. After this, Titus Andronicus is a jest. In the fifth act Ussimano is dragged from the dead body of Acripanda to the sepulchre of Orsilia, and there apparently left to the punishment of his own feelings. The King of Arabia also has some thoughts of slaying himself over the body of his mother, but the Chorus remonstrates with great naïveté.

‘ Se t’ancidi, ove il sepolcro avrai ?

Loco omai più non ha questa cittade

U nuovo morto sepellir si possa.’

Our reader will by this time be satisfied that tragedies, of which the one now analyzed is perhaps the best specimen, have not been unfairly condemned. The beauties which they possess of an occasional scene strongly conceived, fine descriptive passages, and here and there an irresistible appeal to the feelings, are fully counterbalanced by their general defects : by plots ill contrived and awkwardly unfolded ; situations of interest impeded by pages of heavy declamation ; supernatural appearances which excite little solemnity or awe ; trite morality pompously and sentimentously enforced, and finally, a chorus which we perpetually feel to be intrusive and out of place.

The Merope of Maffei closed, and at the same time excelled, the elder school of Italian tragedy. The traditionary celebrity of the story, the praise of Voltaire, the character of the writer, and the freedom of the drama itself from the glaring faults of its

predecessors, conspired to raise this poem to perhaps a higher degree of fame, than it could justly claim. It is rather without striking defects, than rich in peculiar beauties; more the work of a tasteful scholar than of an inspired poet. At all events, as its excellence consists rather in the general effect than in any detached passages, it will not allow us to illustrate our opinions by any specimen.

At length Alfieri arose, and at a fortunate period; for the peculiar talents of Metastasio, the exquisite purity of his language, the occasional felicity of his plots, the elegant faultlessness of his manner, and the music of his verse, were rapidly confirming the prejudice, that effeminacy was the distinguishing character of Italian literature; and that the language of Dante and Machiavelli could not aspire to a higher flight than an amorous madrigal or a pastoral dialogue. Tragedy itself gave way to, or was travestied into opera: instead of 'sweeping by in her gorgeous pall,' she began to move with false pomp and bravura energy;—she had cast aside her indignant harp, to which every lofty emotion of the heart once replied,

To caper nimbly in a lady's chamber
To the lascivious pleasing of a lute.'

From this disgrace she was rescued by the stern and haughty Piedmontese; whose merits it is extremely difficult to appreciate with correctness; as the contrast between the character of the writer and that of his works, forms the most singular problem in literary history, with which we are acquainted. We should have expected from the vehement and impetuous Alfieri, passion violating every rule, and lawless energy trampling upon the established canons of his art; we find him cool, and enslaved to artificial laws. We should have expected at one moment a passage of careless vigour, at another, of deep and soul-felt tenderness; we find the whole laboured into a calm and uniform dignity. We should have expected to shudder and weep; but Alfieri excites neither terror nor tears. We should have guarded against errors of excess and exaggeration, but his love has not much fire, nor his ambition much turbulence: even the furious hater of kings declaims against tyranny in his Timoleon and his Brutus, with something of measured solemnity and elaborate pomp. He aspired, in short, as Mr. Schlegel happily observes, to be the Cato of the theatre, forgetful that the dramatic poet must be of any philosophy rather than the stoic. His tragedy, therefore, has neither the simplicity of the Greek, nor the rich variety of the Shakspearian drama: his characters have neither the high ideal grandeur of the former, nor the distinct identity and perfect nature

nature of the latter. They are neither purely poetical, nor the personages of real life in poetical colours. They are a sort of abstract beings of his own creation, with a strong family resemblance; whether they are Romans or Spaniards or Italians, they are like each other in their manner of speaking and acting. His style also bears evident marks of the toilsome process with which he wrought his works. We want the ease, the sudden flow, the heat of inspiration. The very absence of ornament and figurative expression is evidently studied, and his speeches are too often cut up into brief apothegmatic sentences. 'Celate artem,' is doubtless the great excellence of a tragic writer, but Alfieri's art is obtrusive; even in his *Myrrha*, which is so much admired by the Italians, the effect has always appeared to us too evidently laboured. It is not the incestuous daughter burying her own guilty passion in her heart, and involuntarily betraying it; but the poet delaying the disclosure in order to sustain the interest of his play. Still the tragedies of Alfieri are noble poems. He displays consummate skill in unfolding and conducting his plots; he is always eloquent, always able to keep the imagination alive; and the uniform dignity of his manner is in the highest degree imposing: he reconciles us to his want of passionate flights, and the ardent and exalting raptures of poetry, by never deviating into the low or the ludicrous—and if Italy may still hope to possess a greater tragic poet, let her recollect that Alfieri was the first splendidly to vindicate her from the disgrace of entire barrenness; and that the poet who shall transcend him will bow his head to few of ancient or of modern times.

The Aristodemo of Vincenzo Monti justly excited great expectations. While Alfieri, in the words of Mr. Hobhouse, 'was regarded as a wild irregular genius, scarcely within the pale of literary civilization, Monti was the tragic writer of Italy, and was confidently hailed as the successful candidate for an eminence as yet never occupied.' The faults of Aristodemo are an insufficiency of plot for the length of five acts, and an apparent feebleness in the working up of the last scene. The fable is simply as follows. The gods, consulted by the Messenians as to the event of the war with Lacedæmon, had commanded a virgin to be sacrificed to Pluto. The maiden appointed by lot, was stolen away, and Aristodemo, ambitious of dazzling the people into his views upon the crown, voluntarily offered his own daughter Dirce. Her lover and mother conspired to declare her disqualified for the purity required in the victim. In his wrath Aristodemo slew her, and in a manner too offensively dwelt upon, discovered her to be innocent. His only remaining daughter, a child, had been surprised by the enemy, and, it

was supposed, had perished. Here the play opens. Aristodemo is the victim of remorse, and is perpetually haunted by the shade of his murdered daughter. The only tie which binds him to life is a sort of parental fondness for Cesira, a captive maiden, whom, at the peace which is agreed upon, he must restore to her home. The mysterious attachment is returned by the affectionate girl. The skill of the poet is employed, with some violation of probability, in delaying the departure of Cesira, who, just as Aristodemo has given himself his death blow in a paroxysm of horror, is discovered to be his lost daughter. A breathless interest pervades the whole piece; the vision, with the objection hinted at above, is in the highest style of poetry, and the language is remarkably pure, and at the same time rich. We shall select as a specimen the parting scene of Aristodemo and Cesira; she is come to offer a garland at the tomb of Dirce, feeling a tender interest for her, because she was the daughter of Aristodemo. Aristodemo breaks from among the tombs, as though flying from the spirit which pursues him

Aristodemo.

Leave me—avaunt—

Mercy! thou cruel! mercy!

Cesira.

Where shall I hide me?

Me miserable! I cannot look on him;

Nor cry, nor flee—who, who will counsel me?

What should I do!—assist him?—ah! he's covered

All over with the paleness of the dead!

How doth his brow burst out in clammy dews,

And all his hair stands up!—The sight of him

Heaps terror on me—oh, Aristodemo,

Aristodemo, hear'st thou not?

Aristodemo.

Avaunt,

Depart—and touch me not—relentless shade—

Cesira. Open thine eyes—look on me once again—

'Tis I, my Lord, that call thee.

Aristodemo.

Who?—'tis gone!

Where hath it fled? who saved me from the wrath

Of that most cruel—

Cesira.

And of whom dost speak?

My Lord, why glar'st thou round?

Aristodemo.

Didst thou not see it?

Didst thou not hear it?

Cesira.

Whom? whom? all my limbs

Tremble to hear thee.

Aristodemo.

Who art thou, that comest

In pity to mine aid? Be thou from heaven—

A deity—reveal thee—at thy feet

I'll cast me and adore—

Cesira.

Oh Gods! what dost thou,

Wilt thou not know me then?—I am Cesira.

Aristodemo.

Aristodemo. Who is Cesira?—

Cesira. Ah me! he hath lost
All knowledge—dost thou then not recognize
My face?—

Aristodemo. I have it stamped within my heart—
My heart speaks to me—and the veil falls off.
My consolation! who hath sent thee here
Into these arms?—oh let me then with thine
Mingle my tears—my heart would burst with anguish,
If still my tears refused to succour it.

Cesira. Yes, pour it all into my faithful bosom—
Thou wilt not find another, that will be
More deeply pierced with pity and with sorrow:—
I heard some words thou uttered'st from thy lips,
That made me shudder. Tell me, then, what is it,
This cruel spectre that doth still pursue thee.

Aristodemo. The innocent that doth pursue the guilty!

Cesira. Who is the guilty?

Aristodemo.

I.

Cesira. Thou!—why dost wish
That I should think thee guilty—

Aristodemo.

I did murder her—

Cesira. Whom didst thou murder?

Aristodemo.

Mine own daughter!

Cesira.

Heavens!

He raves—what madness hurried thee to set
Thy foot within there?—Oh ye merciful Gods,
If merciful it please ye to be called,
Oh give him back again his wandering reason—
Have pity on him.—Still, my Lord, thou tremblest!
What look'st thou on so intently?—

Aristodemo.

It comes back!

'Tis there! itself!—and seest thou not?—ah save me!
Hide me in the name of mercy from its sight.

Cesira. My Lord, thou wanderest—Nothing can I see
But yonder tomb—

Aristodemo.

Look on't—'tis fixed there
Erect and fierce upon the open threshold—
Look on't—its motionless eyes it rivets on me—
And rages—Cruel, be appeased!—If thou'rt
In truth, my daughter's spirit, why dost wear
A form so terrible, and who gave thee right,
Unnatural! t'afflict thy father thus?—
She's silent—she draws back—she disappears—
Ah me, how cruel and how dread she is!—

Cesira. I too did feel chill creeping through my veins
The frost of terror—nothing did I see,
Nothing, no truly:—but that broken groan,
So feebly heard, the silent horror breathed

From the open sepulchre :—thy words—the paleness
Upon thy face—still more my soul's wild tumult,
Forbid me more to doubt—that there within
The horrid spectre doth abide ; but wherefore,
Still visible to thy eyes—avoids it mine ?

Aristodemo. Thou'rt innocent. The pupils of thine eyes—
No, no, they are not made to see the secrets
Which the gods' wrath reveals to guilty eyes,
To strike them dead with awe—thou never shed'st
A mother's blood—nature condemns not thee.

Cesira. Art thou in truth then guilty ?

Aristodemo. I have said it ;
But do not, I beseech thee, ask me further.
Fly, fly me, far away, abandon me.

Cesira. I—I abandon thee ! ah no, whatever
Be thy misdeed, within my heart is written
Thy full defence.

Aristodemo. Ah, still 'tis written in heaven,
My condemnation, written in the blood
Of th' innocent.

Cesira. And what, my Lord, the dead,
Can they not pardon ?

Aristodemo. No. Beyond the tomb
The gods reserve unto themselves alone
The power of pardon ; and if thou thyself
Hadst been my daughter, if with impious arm
I had murdered thee—Ah tell me, then, wouldst thou,
A merciful spirit, to thy fell assassin
Have given a pardon ? wouldst thou, oh *Cesira*,
Have given a pardon.

Cesira. Ah ! peace, peace !

Aristodemo. And thinkest thou
That heaven would have consented ?

Cesira. Doth heaven grant
Unto the souls of children wrath so long
Against their fathers, and such barbarous vengeance ?

We break off with reluctance, for the scene continues to the end wrought with the same skill and power, and if Monti had continued to write thus, the high expectations of Italy would not have been disappointed. But the tragediografo of the Cisalpine republic, (for to that office he was appointed,) after having in turn virulently libelled and basely flattered every predominant power, offers a striking instance of the deterioration of talent in proportion to the abandonment of high and generous principle. His *Caio Gracco* contained, indeed, eloquence, and the last scene would furnish a most splendid opportunity for the display of such female acting, as we have seen in *Mrs. Siddons*, but which we fear that we shall see no more : but the *Galeotto Manfredi* of the same

writer

writer aspires not, excepting in a scene or two translated from Shakspeare, above a tame and insipid mediocrity. The total failure indeed of Monti, when employed upon the annals of his country, and the flatness of the tragedies written on subjects of the same nature, by Giovanni Pindemonte, and Count Pepoli, might make us tremble for our theory, could we not appeal to a splendid confirmation of it in the works of Foscolo and Pellico, now before us. Before we arrive at them, however, it is just to notice the 'Arminio, of Ippolito Pindemonte, which is in a much more elevated tone than the tragedies of his brother. The choral songs of the bards display some pleasing poetry, but perhaps, too much in the style of Metastasio for the rough genius of the Northern Foresters. The whole, indeed, is wanting in the fierce energy and gloomy sublimity which should have characterized a poem, the scene of which is laid among the ancient Germans: all the characters converse with the refined notions of Greece and Rome upon liberty and tyranny, not with the haughty independence of uncivilized life; and Arminius, himself, is degraded into the tool of a subtle and somewhat Machiavellian fraud.

The author of the *Conte di Carmagnola*, Alessandro Manzoni, in his preface, boldly declares war against the Unities. To ourselves, 'chartered libertines,' as we consider ourselves on the authority of Shakspeare's example and Johnson's argument, little confirmation will be gained from this proselyte to our tramontane notions of dramatic liberty; we fear, however, that the Italians will require a more splendid violation of their old established laws, before they are led to abandon them. *Carmagnola* wants poetry; the parting scene between the unhappy Count and his family, is indeed affecting, but with this praise and that of occasional simple and manly eloquence the drama itself might be dismissed. We cannot, however, refrain from making known to our readers the most noble piece of Italian lyric poetry which the present day has produced, and which occurs as a chorus at the end of the second act of his drama; and we confess our hopes that the author will prefer, in future, gratifying us with splendid odes, rather than offending us by feeble tragedy.

Hark! to the right the trumpet knelleth!
Hark! to the left a knell replying!
On either side the earth repelleth

The trampling tread of steed and man,
Lo here, in air a banner flying,
There another broadly glancing—
Here a banded troop advancing,
Another meets it, van to van.

The space between hath disappeared,
Now they're clashing, brand with brand,

Breasts with deadly wounds are scarred,
 Blood bursts, more fast their blows they ply;
 Who are they? the lovely land
 What new stranger wasteth now?
 Who hath made the noble vow,
 His native soil to free or die?

One their language, as their race
 Of one country; strangers call
 Each one a brother, every face
 Speaks them of a family;
 This earth the common nurse of all—
 This earth, all kneaded now with blood,
 Which nature in its solitude
 Girt from the world with Alps and sea.

Ah! who to slay his brother first
 Uprear'd the sacrilegious brand?
 Oh horror! who the cause accurst
 Of this thrice cursed butchery?
 They know not—come the hireling band
 Of a hireling captain, they,
 Careless to be slain or slay,
 With him they fight, and ask not why.

Ah woe! these fools in conflict wild,
 Or wives or mothers have they not?
 Why hastes not each her spouse, her child,
 From that ignoble field to rend?
 The aged, who e'en now devote
 To the dark grave each holy thought,
 Why speed they not that maddening route
 With counsel wise in peace to blend?

As sits the countryman before
 His quiet dwelling's gate at ease;
 Watching the storms, aloof that pour
 On fields his ploughshare hath not turn'd;
 So hear ye each, afar that sees,
 Secure, yon armed cohorts dread,
 Recount the thousands of the dead,
 And the wild woes of cities burn'd.

There from their mother's lips suspense,
 Behold the sons, intent on learning
 By names of scorn to know, whom thence
 Ere long they shall go forth to slay;
 Here dames at eve all brightly burning
 With rings and collars jewel'd pride,
 Which from the vanquish'd's desolate bride,
 Husband or lover rent away.

Ah woe! ah woe! ah woe! with slain
 The loaded earth is covered up!

And

And all is blood yon spacious plain,
More loud the shouts, more wild the strife;
But in yon failing bands a troop
Is wavering now, and now it breaketh;
And, victory hopeless, now awaketh
In vulgar souls the love of life.

As in the air the scattering grain
From the broad fan, is whirl'd abroad,
So all about the ample plain
The conquered warriors rout is spread,
But sudden on the fugitives road
Fierce squadrons unforeseen appear,
And on their flank, more near, more near,
Is heard the horseman's thundering tread.

Trembling before their foes they lie,
The prisoners' yielded arms are heaped,
The conqueror drowns with clamorous cry
The sound the lowly dying makes;
The courier, to his saddle leaped,
Takes, folds his billet, and away;
He flogs, he spurs, devours the way;
Each city at the rumour wakes.

Why all the trodden road along
Run ye from forth your fields, your homes?
Each asks his neighbour in the throng,
Anxious what joyous news hath he;
Hapless! ye know from whence he comes,
And hope ye words of joyful strain?
Brothers by brothers have been slain,
This dreadful news I give to thee.

I hear around the festive cries,
The adorned temples ring with song,
From homicidal hearts arise
Thanksgiving hymns abhorr'd of God,
The while the stranger, from among
The Alps high circle stoops his sight,
Beholds, and counts with fierce delight,
The brave that bite the bloody sod.

Break off the triumph and the feasting!
Speed, speed and fill your ranks anew,
Be each unto his banner hasting,

The Stranger is come down—is here—
Ah conquerors! ye are weak and few!
Therefore he comes to battle dight,
And waits you in yon field of fight,
Because your brother perish'd there.

Oh for thy children too confin'd!
Thy sons in peace thou can'st not feed,

Doom'd

Doom'd land ! to strangers now resign'd,
 Such judgment hath begun on thee.
 A foe, by thee unharm'd indeed,
 Sits at thy board, and mocks thy toils,
 Divides thy frantic people's spoils,
 And holds thy sword of sovereignty.

Frantic he too ! Oh never ! no,
 Was nation blest by blood and wrong ;
 The conquered feel not all the woe ;
 Still turns to tears the guilty's joy :
 Though not his haughty way along
 Th' eternal vengeance sweeps and breaks,
 It follows, watches still, and wakes,
 At his last moment, to destroy.

Stamped in One image at our birth,
 Made in the likeness all of One ;
 Ever, at every part of earth
 Where breath of life we may inherit,
 Be brethren all ! Our unison
 Accurst be he to strife who turns,
 Accurst who mocketh him that mourns,
 Or saddeneth one immortal spirit !

We now arrive at the most recent, and, we are inclined to say, the most successful attempts to found Italian Tragedy upon Italian subjects, the Ricciarda of Foscolo, and the Francesca da Rimini of Pellico ; to which we appeal as a perfect justification of our opinions. Signor Foscolo's dramatic career was opened by the tragedy of 'Thyeste,' of which Alfieri is reported to have said, 'if the author be only nineteen he will surpass me.' A tragedy written at that age might naturally expect the indulgence of criticism, and Thyeste, in fact, is the work of a youth, but still that of a young poet. Considerable skill shewn in the management of a repulsive subject, great force and vehemence in the expression of passion, an attempt to relieve the general gloom of the piece by the excitement of a milder interest, that of the maternal affection of Eope, which is foreign indeed to the subject, but for which we are nevertheless grateful, and an animating spirit of enthusiasm, distinguish Thyeste from its less revolting, but tame and feeble rivals. We believe that the next dramatic composition of Foscolo was the Ajace, which fell under the interdict of the reigning powers in Italy ; nor can we wonder at this, for Moreau was figured under the character of Ajax, and Buonaparte under that of Agamemnon. We conceive that the following important objection may be made in general to the choice of subjects for the Grecian stage : besides the difficulty of divesting them of their mythological spirit, which we can scarcely believe

it

it possible to retain, it must be recollected that we address either a learned or an unlearned reader. It is obvious, that, unless from the sonorousness of the names, we can derive no influence over the latter; he has no associations with the heroes of antiquity; Orestes and Iphigenia are no more to him than two characters drawn from the most barbarous annals. But the learned reader is invariably tempted to exercise a sort of rigid jealousy towards this rival, as it were, of his favourite writers; he does not, therefore, consider so much whether the poetry be true to nature, as whether it be in the precise form which the subject has been accustomed to wear; he pauses, before he will shudder or weep, to recollect whether that terror or those tears were wont to be excited by the characters before him; and this very state of mind, this perpetual reference to a pre-established model, chills the current of feeling, and checks every transport. Our imagination is not full of those images only which the poet suggests, but of others with which they are associated; we are comparing while we ought to be feeling; we are perhaps offended, even by a splendid passage, because it deviates from our old opinions, formed upon the earlier writers; even originality forfeits its claim upon our attention by interfering with favourite associations. But if this be the case with all poetry formed on the Grecian Drama, how much more so must it be, when a new distraction is forced upon us; when we have to debate within ourselves, not whether the poet's Ajax be nobly conceived, and not abhorrent from the spirit of Sophocles, but whether he is really like Moreau or not;—when we are called away from the heroic Agamemnon to admire the poet's ingenuity in veiling his modern Emperor in the robes of the ancient King; when we have to watch oblique hint, and carefully gather distant allusion, when we have to doubt and question, not whether such or such a passage be beautiful, but whether it contain any political meaning? We should not have been so diffuse on this subject, had we not known that this is not the only offence against our opinions contained in the Italian Theatre. We have before us a tragedy, (in which we find some fine declamation,) named Nabucco, where the Emperor of the French and his Empress appear under the titles of that unfortunate despot of Assyria, and his Queen. We should, however, in justice to Signor Foscolo, add that we have seen some lines of his Ajace, spoken by Tecmessa, more in the true character of Greek dramatic poetry, than any perhaps with which we are acquainted in modern language.

The fable of the Ricciarda, dreadful as it is, is, we believe, founded on history; it treats on the more than Theban hatred of Guelfo, Prince of Salerno, towards his half-brother, Averardo, whom

whom he considers an usurper of his rights, and an intruder upon his inheritance. In pursuance of his dreadful plan of vengeance, he had appeared to favour the attachment of his daughter Ricciarda, to Guido, one of Averardo's sons. They were affianced, and, at the bridal banquet, he had succeeded in poisoning one of his nephews, but Guido had escaped through the intervention of Ricciarda: Averardo is, therefore, besieging the tyrant in Salerno as his declared enemy; but Guido is lying hid within the walls of the city, to watch over his beloved Ricciarda. The play opens with an endeavour made by Corrado, a friend, and a faithful warrior of Averardo's army, to persuade Guido to abandon his desperate enterprize; Guido replies, that since Ricciarda saved his life, he considers it entirely and solely devoted to her; in Salerno, therefore, he must remain, lest the tyrant should revenge upon his own daughter the preservation of her lover, or should set the city on fire and sacrifice himself and her in the flames. The indignant spirit of Guido after the departure of his friend, ill brooks his base concealment; Ricciarda, however, enters: her character we think beautifully drawn, it is all modest affection for her lover, and compassionate tenderness to her father,—to Guido she says,

Me miserable! to lose thee from my sight,
It is a thought so bitter; 'tis scarce worse,
The sad assurance that thou stay'st to perish.

Of her father, who Guido says preserves her alive only as a means of subduing him, who 'notes in his dark record' every proof of her love, 'to blot it out one day in blood,' she observes,

As much as one can love, who hates himself,
He loveth me—this calms his wrath—to all
He doth reveal his crimes; but his heart's anguish,
Save me alone, he hides from all:—I only,
When even his bandits are all sunk in sleep,
Do hear him wand'ring through the vacant house—
He dreads to be alone, seeks me to lead him—
And after a long silence, calls upon
His ancestors, and death, his wife and children.

They are alarmed, Guido retires among the tombs, and the father enters; his restless suspicion is finely shewn in their first meeting.

Guelfo. 'Thou here?

Ricciarda. My Lord.

Guelfo. Confused and pale! Thou here?'

she replies that she knew he wished her to be somewhere in his palace.

Here whither I have come, this of thy palace
Is part.

Guelfo.

Guelfo. The best part—Dost thou come so readily
To find me here? methinks before his time
Thou seek'st thy father here—among the tombs.'

The second act is occupied by a scene between Ricciarda and her father; the wayward tyrant, after reproaching his daughter with her fondness for Guido, after forcing her to renounce, and urging her to hate him, is melted into tears by her unalterable tenderness towards himself and her offers to devote her life to him in sadness and in solitude. Averardo then appears, disguised as an ambassador from himself:—there is eloquence in their dialogue, but we think that the incident is not productive of sufficient consequences for its importance; it is striking, but leads to no result. The third act contains a scene between Guido and his father, whose influence is also vainly exerted to induce him to leave Salerno; Ricciarda is then brought solemnly before Averardo to shew the last proof of her parental obedience, in renouncing Guido. War is then declared again in form, and Averardo withdraws. In the fourth act we have the parting interview of Guido and Ricciarda, she tells him that her father would have forced her to swear eternal hatred to him, and that he had forced her to swear *never to be his*. This scene has great beauty, Guido endeavours to persuade her to fly, not to break her vow to her father, but to put it out of her power to tempt him to her murder; he incautiously adds, that if this at last be the case, he will still watch over her, and that she shall not die unrevenged; Ricciarda at this threat demands his dagger from him.

Guido. 'Death then thou dread'st
Certain and imminent—from thy father's hand.

Ricciarda. I dread his troubled heart—I dread mine own
That ne'er will brook that I should be another's;
Thy love still more I dread—when hangs suspended
My father's arm, and trembles still to slay me—
Thou wilt precipitate his crime—and ours—
Thee shall I see or slain, or slaying—haply
Thee only slain—and from thy death shall have
The sad bequest, in death to hate my father,
To execrate the mercy that he felt
Towards his daughter.

Guido. Take the dagger.'

They part—Guelfo enters hastily—and she lets fall the dagger.

Guelfo. 'Here must I find thee ever then?—a weapon
Fell from thine hand—Oh! steel accurst, I know thee,
Well thou return'st to me—come let me grasp thee,
Not as that day—but ever still to hold thee,
Yet once again with mine own blood bedew'd—[*a pause.*]

Approach—

Approach—unnatural woman!—o'er my wrath
Behold, at length, a horrid calm hath stolen,
I doubt no longer if I can abhor thee—
With tears—oh yes—but not with steel—at least
Not with this steel did I believe thee armed—
Know'st thou it?

It was the very dagger which he had drawn from the body of his own son when he had fallen in battle against the party of Averardo; he had made Ricciarda adorn it with jewels, and had given it, on the day of his nuptials, and of his intended murder, to Guido. The incident increases his suspicion: she delays her answers, and he supposes that it is in order to withhold him from the battle, at all events it shews some collusion with Guido, and he threatens to return and elucidate the dreadful secret; indeed, if we correctly understand one of Ricciarda's speeches, there is something jesuitical in her excuse, which does not suit the generally beautiful simplicity of her character. In the fifth act, he does return defeated and desperate.

Guelfo. 'Brief time have I to live, yet time enough
To die unvanquish'd—go ye, to the conqueror,
Go strangers with the rest—and take with you
My palace treasures for your spoil, ere yet
The base usurper come—enough for Guelfo
His fathers' tombs—his daughter—and his sword.
Off—and obey!—Off—I yet live—

GUELFO, RICCIARDA.

Guelfo. Now hear me,
Thou said'st but now that over me did hang
The sword—

Ricciarda. I said so.

Guelfo. And thou had'st it then
From Guido—to no other hand but thine
Would he have yielded up so dear a weapon.
This day thou had'st it—woman—to thy father
And heaven thou speakest from a tomb—

Ricciarda. This day!

he adds some reasons for his suspicion that Guido gave it to her, that she received it for some fatal purpose, and that he is still concealed near.

Guelfo. 'Thy life is on thy words—quick—answer me,
Where is he?

Ricciarda. Here I saw him—where he went
I know not.

Guelfo. Speak—we have no time for words,
No time for calm and tranquil reasoning.

Ricciarda. Here, where I speak these my last words, I saw
him:

Be

Be this, my Lord, the proof that I deceive not,
That thus I speak—for knew I where he is,
In vain thou had'st questioned—nor will I be guilty
Of what he does in madness, or his death.

Guelfo. I'll have his blood—or endless tears from thee—
Conquer'd I'm not with vengeance in my grasp;
He here, or thou shalt live no longer.

Ricciarda.

I.

Guelfo. Unworthy! if thou diest for him, thou'rt guilty,
Guiltier, if thou conceal'st him from me—die then.

Ricciarda. Thou sheddest innocent blood—give me the
sword—

I, I alone will plunge it in my bosom.
See, I am pale with horror at thy crime;
Not mine own conscience—see, I tremble not—
It was my weakness secretly to love him—
But from *that* day—to heaven, that only knew it,
I've paid a bitter penalty of sorrow.

Thou hallowed'st our love—for my sake Guido
Did lose his brother—and could I not love him?
Yes, he was here—and armed—yet not in ambush
'Gainst thee—that sword he gave lest he should draw it,
Beholding me as at this dreadful instant.

Guelfo. Ah new! ah horrible anguish! he may see me
A parricide—nor I have power to slay him.

Ricciarda. Give me the sword then?—thus I join my mother
For ever—in my hand shall Guido see
The sword-hilt—and thou 'scape the infamy.
And he will weep with thee o'er thy lost child,
Thy bleeding innocent child; and thou, repentant,
Shalt groan, and clasp him to thy heart, and pardon
Win from the eternal mercy!—Lord of heaven
My blood I shed, so that my father with it
Reek not before thee.

Guelfo. Ha!—in God thou trustest—
In God who only reigneth to avenge.
Already in his deep infernal night,
While yet mine eyes behold the light of day,
He hath plunged me and enveloped—horribly
He rages round my miserable soul,
Dark 'mid his lightnings; never do I utter
His name, but he doth seem to answer me,
“I wake for vengeance”—and at once revenge
Rekindles then within my mortal bosom,
Because *he* doth deny me pardon—Thee!
But thee alone, my daughter, shall I slay
For my revenge?—ah me! if thou art innocent,
Thee, God, a mute, a bleeding shade, will send
Unto my sepulchre, to wait the day

When

When from my dust and ashes I shall rise.
 Thou wilt not shew them to me—with thy looks
 Thou, the sole refuge of my dark sad life,
 E'en now hast pardoned me—but I shall see them,
 Those agonies, with which so long ago
 I shall have quench'd thy glad and youthful beauty.
 And smoke and blood shall issue from the wound,
 And God, outstretching his own fiery sword
 Unto my heart, shall say—Look, impious, look!
 A father thou hast slain thy innocent daughter!
 Down, fatal dagger, down,—lead me, my daughter,
 To death—I ought no longer now to live.

Ricciarda. Come with me, come—

Guelfo.

Did ever fugitive prince

Find even a tomb secure? I have been mighty,
 And shall be scorn'd—I was their dread, they'll now
 Shake fire-brands in my path—e'en now with flames
 Yon sea is blazing—that false Tuscan city
 Hath throng'd it with her sails, and fires my fleet.

Ricciarda. Oh, God unfolds his bosom to the wretched—
 Father, oh come—they will but see thee fly
 As kings should fly—only to save thy daughter—
 Prostrate at the altar, they'll have mercy on us.

Guelfo. On thee they will—on them I ne'er had mercy!
 Infamy, infamy, 'twill be—a sceptre
 Th'ave borne, nor bear it to my grave—fly then,
 Here rest I with my sires that knew not fear.

Ricciarda. That I should leave thee!

Guelfo.

I, of all my lineage

The last remain, ere morning, shall have perished.
 But thou—shalt thou be then the bastard's spoil
 That doth usurp my realm, my arms, my name,
 Even of thy last sad tears will he bereave
 My corpse—hath he not reft me of my sons?

Ricciarda. Ah me—avert from that fell steel thine eyes—
 He hears me not—alas!—more fierce he looks on it.—

Rage returns again to the bosom of the tyrant; while Ricciarda embraces her mother's tomb in silent terror, he rushes through the vaults calling on Guido—he comes back, and with his dagger uplifted over her exclaims—

'Coward,

Hear me—thou coward, or thy lady dies—

Tremendously I cry again—hear me—

Guido.

I hear thee.'

Guido offers his own life, if the tyrant will spare his daughter. He approaches to fulfil his offer in spite of the tears of Ricciarda. The tyrant stabs him—at that moment the victorious troops of Averardo enter, he then stabs his daughter and finally himself.

Thus

Thus closes his tragedy, of which at least the last act is wrought with consummate skill and admirable scenic effect. If we lay out of the account the nature of the plot, which some may think too horrible for legitimate tragedy, though we confess ourselves of a different opinion, the defects of the drama are too great an uniformity of situation, and an obscurity of style. Our terror is so often appealed to, lest the father should slay his child, that we become in some degree familiarised with the danger, and are of course less moved by it. On the second point we must refer to our former observations on the unfitness of the Latin language for dramatic poetry, most of which apply to the close and pregnant style of Foscolo. It displays indeed great mastery over the language, to comprise so many ideas in so few words; but when our feelings are addressed, we like not the having to dwell on sentences, the antithetical force and fullness of which occasionally remind us of Tacitus. We either hurry on without having received into our minds the whole meaning of the author, or we pause so long as to lose the spirit of the scene. But these defects are nobly counterbalanced by the general impression of poetic power which the whole piece bears; by the conception and execution of the characters which appear to us truly tragic and original. There is something tremendous in Guelfo, whose vigilant suspicion finds aliment in the most trivial circumstances; and who is so deep in guilt, as to take pride in hardening himself in his atrocity. God to him, he thinks, must be a God of vengeance; he has sinned beyond hope of mercy, therefore he must go on; his is a fine exemplification of that faith of the devils, 'who believe and tremble.' Yet, even in him, nature sometimes speaks; gleams of parental affection pass across the gloom of his spirit; he wavers and is irresolute, till some new occurrence excites him again to frenzy, and he abandons himself to the guidance of furious passion. Ricciarda, with the exception which we hinted above, is uniformly pleasing: willing to be the sacrifice, and only anxious that her father may escape the guilt of her death; for this, foregoing even her love for Guido—for this, offering herself to commit suicide. Guido, from his peculiar situation, is more inactive than we should have wished; but there is something imposing in his calm and uniform generosity.

The "*Francesca da Rimini*," of Silvio Pellico, is the poem of ardent and unstudied feeling. There is a natural ease in every expression, and the artifice of the plot seems to originate rather in the instinctive delicacy of the poet's mind, which shrunk from the undisguised relation of an incestuous passion, and felt intuitively the right way of securing the reader's commiseration for the unhappy pair. The play opens with the father (Guido of

Ravenna) and (Lancelot of Rimini) the husband of Francesca, who mutually deplore the melancholy which perpetually broods over her, and which they attribute to grief for the death of her brother, by the hand of Paulo, the younger brother of her husband. On the intelligence of the approach of Paulo to Rimini, she had intreated to be sent away; to be sent any where rather than meet him. When she enters she acknowledges her secret sadness.

' — God hath laid a weight incredible
Of anguish on mine heart, and to endure it
I am resigned. I should have steep'd my life,
Yea all my days, in my unceasing tears,
Alike within the solitary cell,
As in the world. But there I had not made
Another wretched. Freely would my groans
Have issued forth to God, to look with mercy
Upon his child, and take her soon away
From this dark vale of sorrow. Now I may not
Even wish to die. I do afflict thee now,
Oh my too generous husband, by my living;
Were I to die, I should afflict thee more.

Lancelot. Oh dutiful, though cruel! still afflict me;
Steep all my hours in poison—only live.'

Lancelot hints at the possibility of her being melancholy from some concealed attachment; he recalls some ambiguous words which she had once uttered.

' *Francesca.* Ah—even in their delirium, of the wretched
The thoughts are scrutiniz'd: their wretchedness
Is not enough, they must be infamous.
'Gainst the afflicted spirit all conspire—
All, while they feign to pity, hate them. No,
No pity, they but ask a grave. Whene'er
I can no more endure, make me a grave:
Gladly I will go down into its bosom;
Gladly, so I may fly the face of man.'

A stranger is now announced; Francesca hastily retires. It is Paulo, who has been at Byzantium, engaged in war for the Emperor of the East. He knew not, and is now first informed by Lancelot, that Francesca of Ravenna is his wife. Paulo's confusion is attributed to his having slain her brother in battle, and he declares, in agitation, that he must depart again, and go where she is not. In the first scene of the second act, Francesca is about to reveal her dreadful secret to her father; she hints to him that she is the slave of an unlawful, though yet ungratified, passion; but while her father is in the first access of anger, and before she declares the object of her attachment, Lancelot enters

to

to intreat her, at Paulo's desire, to see him once before he departs for ever. He too has betrayed to his brother that he is the victim of a hopeless passion, and concealed the object of it. In the third act they meet by accident, and betray their mutual passion in a scene of exquisite simplicity and beauty. They had before met, they had read together in the romance, and (here the author differs from the tradition, to which Dante so tenderly alludes,) they had parted without any declaration. Paulo had afterwards slain her brother by accident, and thought himself hated by her. She, abandoned by him, had thought herself forgotten. They part in the presence of her husband and father; the secret flashes at once upon the former. In the fourth act is an interview between the father and Lancelot. The father had made Francesca swear, at the foot of the altar, that she was still innocent; and with this certainty, that Paulo loves her and is beloved, but that their love is still guiltless, the brothers meet in mingled hostility and affection.

Lancelot. Advance, thou wretched man!

Paulo. I am not used

To hear such bitter terms, and should have known

On others to retort them. But in thee

My father's power I honour, and am patient.

To a brother or a subject speak'st thou?

Lancelot.

To a brother.

Answer me, Paulo—had she been thy bride,

Had any other stolen her heart from thee,

And had that man been thine own dearest friend—

One whom, while he betrayed thee, thou wast clasping,

With love beyond a brother's, to thy bosom,

What hadst thou done? Deliberate.

Paulo.

I feel

How much it costs thee to be gentle.

Lancelot.

Feel'st thou,

My brother, what it costs me? Thou didst name

Our father; he was gentle to his children

Even though he thought them guilty.

Paulo.

Thou alone

Deservest to succeed him—What shall I say?

Oh how hast thou debased me from my boldness!

I too did think myself magnanimous;

But am not like to thee.

Lancelot.

Speak, then—thy bride

Were she?

Paulo. Francesca—never would I brook

The shadow of a rival.

Lancelot.

If thy brother

Dared love her?

Paulo. He should be no more my brother.
Woe unto him who dared to love—I swear it;
Woe unto him, whoever were the traitor;
My dagger should rend out his guilty heart.

Lancelot. Me too even now that fierce desire assails—
I hold mine hand, that to my sword-hilt springs;
Trust me, with pain I hold it. Darest thou, then,
Avow thy guilt?—and darest thou to seduce
Another's plighted wife—thy brother's wife?

Paulo. Oh! 'twere less cruel, wouldst thou with thy sword
Pierce me at once. I am not base—seduce!
I! that most spotless angel of the heavens:
It could not be—he who doth love Francesca
Cannot be base;—even were he so before,
He were no longer, loving her. That heart
Must needs be lofty which doth wear impress'd
That lofty woman. 'Tis because I love her,
I boast myself—manly, religious, valiant.
Because I love her, haply I am more so
Than warriors or than kings are wont to be.

Lancelot. And most immodest art thou too of men—
Darest thou to boast thy love?

Paulo. If guiltily
I'd loved, I had been silent; but my love
Is pure as 'tis intense. I could endure
A thousand times to die ere I'd defile her;
Yet not the less I feel the stern necessity
Or my departure. For thy lady's sake
Renounce thy brother—and for ever.

Lancelot. Guilty
Thy love is not, and do not thou then make me
Wretched for ever.'

While this generous dialogue is unfinished, Francesca appears; the jealousy of Lancelot breaks out anew, and at the close of the scene he orders his brother into custody, and preparations to be made for Francesca's departure to Ravenna. In the fifth act, the husband, through the father's intervention, entreats a parting interview with Francesca; she is awaiting him, when on a sudden Paulo breaks in with a drawn sword, having bribed his guard. In a vision he fancied that he had seen Francesca slain by her jealous husband, and weltering in her blood; and he is come to defend her. Their language is growing more impassioned, when Lancelot enters; in his fury he attacks his brother. Francesca springs between them, and falls by the hand of Lancelot; Paulo then rushes on his brother's sword and dies.

We consider that this single beautiful example would be sufficient to justify our opinions, that the Italians should look at home
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for their tragic subjects. Why should not Dante be to them what Homer was to the Greek tragedians? What they will lose in that conventional grandeur which our imaginations attach to the heroic and mythological ages of Greece, they may gain in the truth and natural eloquence of their delineations from the human heart. We are aware that Alfieri, in the opinion delivered by himself on his *Don Garzia*, pronounces that the fable of that play would have been more truly tragic had the scene been laid in Mycenæ or Thebes. Why this should be we see not, and we think that we could point out far more true and sufficient reasons for the inferiority of *Don Garzia*. Alfieri's other play, on a national subject, the '*Congiura dei Pazzi*,' is too evidently the work of a political partizan. But we look with confidence for a still further confirmation of our theory from Signor Pellico. From his power of touching us so deeply, when employed on a subject, even in his hands objectionable, we can conceive with what effect his flow of highly passionate feeling, and the exquisite facility of his language, might be employed on some more pleasing fable. We hope that he will soon allow us to make known to our readers some new production, to which we trust that some of our writers will repay the high compliment of translating it, in return for Signor Pellico's endeavour to make his countrymen acquainted with the '*Manfred*' of Lord Byron; a translation of which in prose (it should have been in verse) is appended to the *Francesca da Rimini*. To Signor Foscolo, who is resident amongst us, we may address ourselves more personally. To him, whose mind is so richly stored, not merely with the intellectual treasures of his own country, but those of ancient Greece and Rome; to him, who is a scholar in the highest sense of the word, not merely from skill in recollecting the anomalies of language, and the peculiar usages and force of words (though from the notes appended to his specimen of a translation of the *Iliad*, we should suppose him profound in this department of learning also,) but from his intuitive power of entering into the spirit and character of the great ancient writers; to him, whose mastery over his own language, the language of Dante, Petrarch, and Tasso, is only so great as to lead him to a somewhat wanton and capricious display of power in inverting it, and condensing it into epigrammatic conciseness; to him we would say, that the name of Foscolo should be known to posterity as something greater than that of the author of *Ortis's Letters*, or even of *Ricciarda*. The former work, though eloquent, is far too like *Werter*, and one of that race is assuredly enough for the world; and we think that the author may be expected to excel even the latter: and let him rest assured, that whatever may be the destiny of his beloved Italy,

whether to repose under the leaden sceptre of Austria, or to pass through the fiery ordeal of revolution, he deserves well of that country, who makes her feel that, but for her own intestine discords, she might have been one among the nations. At any rate, though the vivid representations of her own annals under the captivating hues of poetry, should effect little in warning her against those petty jealousies and rivalries which have always distracted and weakened her; though she abandon all hope of doing more than

Servir sempre, o vincitrice, o vinta;

though she still remain divided and subdivided, and portioned out among different sovereigns—and we see no probability of her being otherwise, in any manner consistent with the peace of Europe and her own internal happiness; still let her be able to pride herself on her poets winning the admiration of the world: let it be her glory in her adversity that the Miltons and Grays of distant countries draw poetic inspiration from her perennial fountains, as it will be an ennobling recollection, should a more fortunate period of her history unexpectedly arrive, if her poets and men of letters shall have consecrated their powers to her improvement and instruction; if they have not only adorned her by their fame, but enlightened her by their generous principle; if they have not only raised her standard of intellectual, but also of moral greatness.

ART. IV.—*Journal of a Tour through part of the Snowy Range of the Himālā Mountains and to the Sources of the Rivers Jumna and Ganges.* By James Baillie Fraser, Esq. 4to. London. 1820.

MANY years have not elapsed since we knew only the name of that stupendous buttress, which supports on the south the elevated Table Land of central Asia, and which, for altitude and extent, has no parallel on the surface of the globe; for although there cannot remain a doubt that some of those extraordinary men, the Jesuit missionaries, scaled this vast barrier, and forced as it were a direct communication between Hindostan and China, through Thibet, from the beginning to the middle of the seventeenth century, their statements are so vague with regard to the geography of the countries traversed, as barely to enable us to trace their route, though at the same time sufficiently explicit to shew that they crossed the Himalaya through Cashmere and Nepal.

Not only the existence however, but the nature of this mountainous region, was known to the ancient geographers. Indeed the closer

closer we examine into the direction and extent of its various ramifications, the more grounds we see for believing that the information obtained by Ptolemy was authentic, and his details generally correct; nor can we doubt that the *Emodus* or *Imaus* of Pliny, 'incolarum lingua *nivosum* significans' derived its origin immediately from the *Himaleh* of the Hindoos, which, really signifies, in their language, 'snowy,' or more strictly speaking, the 'seat of snow.'

The British conquerors of India had long viewed the snow-capt summits of this stupendous barrier from the plains of Hindostan, and by degrees advanced to its very base; but the passage was closed against all approach to its interior, till war, which, with all its evils, is confessedly a great promoter of geographical knowledge, opened a way into these recesses, and afforded those opportunities of which our enterprising countrymen were not slow in availing themselves. It is true that pacific missions had introduced Turner, Kirkpatrick, Moorcroft, Raper, and a few others, into the eastern parts of the extensive chain which separates India from Tartary; but the western portion, or that part included between the Sutlej and the Jumna, had never been approached by any European; and it may be considered as a singular circumstance, that our first knowledge of the possibility of this part of the mountainous region being passable by an army, was the discovery of General Ochterlony,—that an elephant had been sent, as a marriage dowry, from Nahn to Bussaher, a distance of 80 miles; before which this part of the 'hilly country,' as it is called, had been confidently described by the natives, and was universally believed on the plains, to be inaccessible to any four-footed animal.

When those restless freebooters, the nominal subjects of the 'Celestial Empire,'* (known to us by the name of Ghorkalis, who had long been in possession of Nepaul, and who, about the beginning of the present century, had completely subdued the whole of the hilly states, as far west as the Sutlej,) thought fit, in the year 1814, to disturb the Hindoos, living peaceably under the protection of the British government, by repeated and destructive incursions upon the plains, and when remonstrances and negotiations had failed, it became expedient to march an army into these mountainous regions, and ultimately to reduce the whole line of country which had been injuriously invaded and possessed by the Ghorka Rajahs. Peace or war was in fact no longer a matter of choice; 'our zemindars,' says Mr. Fraser, 'were plundered and

* In asking the assistance of the Emperor of China against the English, they avowed themselves to be his subjects.

even murdered, and the petty chiefs dependent on our protection and authority, if they did not agree to the terms of these oppressors, were insulted and driven from their houses and their properties.' We notice this with no view of entering into any discussion on the merits of the war, but merely to point out the occasion which supplied Mr. Baillie Fraser with the means of collecting the materials of the volume before us, by accompanying his brother, then acting in the capacity of 'Political Agent' to that part of the army which was under the command of General Martindale.

It is much to be regretted that so fine an opportunity should have been lost to all the important purposes of science. Mr. Fraser was neither furnished with instruments of any kind to measure angles, the temperature of the atmosphere, or the pressure of the air; nor, by his own admission, was he qualified to add much to the stock of human knowledge. These deficiencies are provoking enough: and when to them we add the total want of arrangement of the matter which he has collected, the perplexing mixture of camps and campaigns and military movements with manners, politics and, what Sir Toby calls, 'arguments of state,' broken, too, into brief paragraphs, which frequently remind us of the chronological list of events in a modern almanack, it will be granted, we think, that we have some reason to quarrel with Mr. Fraser's book; yet, having persevered in toiling through a minute detail of uninteresting matter, we honestly confess that a favourable impression remained on our mind, and that we could not help feeling, that the work was highly worthy of public notice, and encouragement; and that, with all its drawbacks, a kind of witchery hovered over the pages which brought before us those holy haunts of superstition, where, enthroned on the lofty and snow-capt pinnacles of Himalaya, the divine Mahadeo sat and surveyed the fertile plains of Hindostan.

The route of Mr. Fraser will be more distinctly understood if, in the absence of a map, (with which, however, the book is accompanied,) we endeavour to trace a general outline of the great geographical features of the mountainous region which separates India from Tartary. We know not exactly to what portion of this rugged and highly elevated tract of country, which extends, without interruption, from the confines of China on the east, to the Caspian nearly on the west, the name of Himaleh, Himalaya, or Himmachal, was applied by the natives of India; but our present geographers seem to limit it to that portion of the chain which is included between the ravines of the Indus and the Bramapootra. Beyond the Indus to the westward, it takes the name of the Hindoo Coosh, or Indian Caucasus, and is that part which, with

with its continuation on the northern extremity of Persia, was known to Ptolemy by the name of Parapamisus. The general direction of the chain is about north-west, and south-east; and the length of the Himaleh alone, as we have described it, about 1400 miles; its greatest latitude not exceeding 35° , and least not falling below 25° ; its longitude reaching from 74° to 94° . The width of this mountainous tract, including the lower hills, is various, but in no part less probably than fifty, or more than a hundred miles. The portion of this range described by Mr. Fraser is not more in a straight line in the direction of the chain than sixty or seventy miles.

The character of the inferior hills is described by our author as 'wild, rugged, and difficult of access, irregularly connected; those,' he adds, 'forming the boundary of the Deyrah-Doon, and the roots of the more lofty ones, rise abruptly from the sandy flat that stretches at their feet, without any undulation of ground whatever: their aspect is rocky and brown, though they are tolerably clothed with wood; a mixture of the productions of the low country with a few of those that affect a loftier situation. Their south-western and southern aspects are steep and broken; while that of their backs, to the north-east, exhibits an easy slope, covered with much wood in most places, but green where wood does not extend. These hills rise to a height of from 400 to 750 feet; and the range separating the Dhoon from the plains may extend from three to six miles in depth. They seem to be formed of sand-stone, more or less destructible, of indurated clay, and beds of rounded pebbles and gravel. Their aspect, viewed from a height, is singular; and much reminds one of a wave of the sea, which has rolled by, showing here and there its broken crest, half turned backwards. Beyond these first low hills others rise more lofty and majestic, and are found of various heights, from 1500 feet to 5000. They are very sharp, rough, and run into numerous ridges, divided by deep shaggy dells; and the crests of the ridges are frequently so sharp, that two persons can hardly stand abreast upon them.'—p. 313.

These are the irregular hills which rise immediately from the plains of Hindostan; but beyond them we arrive at a more connected range, of limestone formation, and of 'a round, lumpy, rugged character.' Deep glens, and the beds of mountain torrents separate this from the farther range, which rises to the height of 10,000 or 12,000 feet, and in particular places even more, before it passes into the great granite formation, of which the towering peaks are supposed to consist; though it is not impossible that the continuous bed of granite may be surmounted by sand-stone, which is not unusual, and, in the present instance, is the more probable from the frequency of large detached masses of this substance being found at the summit of the hills which immediately unite with the wall-sided mountains.

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On this point Mr. Fraser observes:

'The lofty spires and masses of the snowy range, and of their ridges, were in all probability formed of a different rock from any we had seen in quantity; and although, from subsequent observations, it was to be presumed that the principal portion was granite, still the obvious stratification that existed in some places, among others in the peaks about Serān, would, as I have been informed, militate strongly against this supposition, granite not in general assuming a stratified form. At this place the snowy peaks were not more than from two to two miles and a half horizontal distance from us. We had good glasses, and thus were enabled to make pretty accurate observations respecting them. The lines of stratification were particularly obvious on the steep perpendicular faces of many, especially those pointing to the south-west; and that distinction which was obvious throughout the whole hills, between the north-western and western exposures, and those to the south and south-eastward, was finely confirmed here, as will be more distinctly stated hereafter.

Where the rock is perpendicular the snow cannot of course lie; and even on faces not so precipitous, it slides down as the lower portions melt, thus giving to view a large portion of the more elevated cliffs. The rock then was black in colour, occasionally veined with red and yellow. It was remarkably sharp, and its fracture seemed to preserve this character: at times it spires up into slender peaks of most fantastic forms; and even in these we could detect the stratification and direction of the strata. For some thousand feet below their top all vegetation ceased, and there did not appear to be any soil: at the foot of each cliff were spread the ruins that had fallen from it, mouldering as weather and time acted on them, strewing the mountain side (where it was not covered with snow) with various sized fragments.—p. 316.

It has long been known that the extensive plains of Hindostan, comprehended between the Indus and the Ganges, and commencing at the base of the mountainous region of which we have been speaking, owe their extraordinary fertility to the innumerable streams which issue out of it; but very confused and erroneous notions were entertained, until very lately, of their sources. The Indus on the west is composed of the Punjab, or five rivers, of which the easternmost is the Sutlej, with the exception of which, and the western branch, all the intermediate rivers, and their tributary streams, have their sources at or near the southern base of the highest ridge of the chain. The Jumna, the great western branch of the Ganges, is composed of the Girree, the Pabur, the Touse, and the Jumna properly so called, with numerous inferior streams, all issuing from the south side of the Himalaya. The Ganges, composed of the Bhagarutee and Alicantunda, and the latter of the Kaligunga, the Pindar, and several other considerable streams, has also its source in the southern side of the snowy mountains; but the great western branch of the Indus, the Sutlej, and

and the Bramapootra have their rise on the northern side of the snowy mountains, on the elevated plains of Tartary. The Gunduck is supposed to issue from the valleys of Nepaul; the sources of the Cossy and the Teesta, and some others to the eastward of this, do not appear to have been accurately ascertained.

The portion of the mountainous region visited and described by Mr. Fraser, is that which lies between the ravine of the Sutlej and the Alicanunda; but that which we mean particularly to notice, as being untravelled by any European, is his journey to Serān, near the bank of the Sutlej, from thence to Jumnotree, near Bunderpouch, at the source of the Jumna, and across the mountains to Gungotree and Roodro Himālā, the source of the Bhagarutee. The celebrated shrines of Kedar-nath, at the head of the Calligunga and of Badri-nath on the Alicanunda, we have, in former articles, had occasion to speak of, on the authority of Messrs. Raper, Webb, and Moorcroft.

Mr. Fraser observes, on first approaching the mountains, that the restless tribes of the Sikhs, occupying the plain between the Jumna and the Sutlej, are constantly engaged in quarrels and appeals to arms; that their manners are as rude and inhospitable as their natures; and that they are proud, insolent, and ever ready to insult strangers who pass through their country: on the present occasion, however, they contented themselves, with 'staring;' they 'looked surly and silent,' he says, 'and as if they were well inclined to be insolent and troublesome if they dared.'

The first place which they reached among the hills was Nahn, 'perched like a bird's nest on the brow of a rock,' at the height of 2000 feet nearly above the level of the plains. It is a small town; the houses were built of stone, with flat roofs; and the streets rose by steps to the crest of the hill. A comparison with the vast proportions of the surrounding objects conveyed to Mr. Fraser's mind 'a strange idea of diminitiveness, like the abridgement of a town.'

A few miles beyond Nahn, and on the lofty extremity of a higher ridge, was situated the fort of Jytock, 3,600 feet above the level of the plains; the surrounding country was rugged with rocks, steep hills, and deep ravines; yet the wooded sides, generally to the north, were speckled with cultivation.

'As level ground is seldom to be met with, the least rocky faces of the hills are cut into a succession of terraces, rising above each other; which operation produces a number of strips of level ground, more or less narrow according to the steepness of the hills, and more or less regular according to its ruggedness. Great labour and care are bestowed on this operation. It is generally necessary to build a retaining wall, to support the edge of the small strip of ground, of a height correspond-

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ing with that of the bank, and much attention is paid to levelling its surface, so that water may neither rest upon it, nor, in running off, carry away any portion of its scanty soil; but this exact level is also necessary to fit it for receiving the benefit of irrigation; and every rivulet (with which indeed the hills abound) is diverted from its course at a height sufficient for their purpose (consequently often from a great distance,) and led by small drains, constructed with much neatness and skill, first to the higher cultivated spots from which it flows to the rest, or is again collected into a stream, after saturating them, and carried to another and lower range of fields.—p. 113.

On the side of every mountain, however steep, cultivation was either carrying on in this way, or traces of it on former terraces were apparent. The villages were numerous, and the houses chiefly of stone, with doors so small as scarcely to admit a man. Rude as they were without, they were exceedingly neat within; the floors were smooth, well swept, and clean; and the cows, the chief source of their wealth, had invariably a respectable share of the house, which was kept dry and comfortable for them. A few lemon, or walnut, or mango trees, threw a grateful shade over the dwellings, and afforded convenient resting places under their branches to the inhabitants. Of these our author speaks in degrading terms, as 'contemptible in size, mean in aspect, cringing in address, and almost brutal.' He allows, however, that they are remarkably stout and well made, muscular and able to carry great weights. They have, he says, the general cast of the Hindoo countenance, without its softness and intelligence; and he notices the sunk eye, the sharp prominent nose, the large forehead, the high cheekbones, the long chin, and spare visage, with the wrinkles about the eyes and brows, and the habitual grin which deforms their countenance. From this description it would be clear, if other authorities were wanting, that the inhabitants of these elevated regions are a mixture of Hindoos and Tartars, as we know they are of Brahmins and Bhoodists; though each and all of them appear to be perfectly indifferent to the object of their worship, and to know or care little about the duties of religion beyond its superstitions.

The women are described as something more prepossessing, of better stature, and more delicate features: unlike the females of the plains, they fly not the approach of men; in fact they labour in the fields, and take their full share of fatigue with them. Thus busily occupied in providing for the necessaries of life, neither sex (to use Mr. Fraser's expression) seems to admit of a feeling 'so refined' as that of jealousy.

'It is usual for a family of four or five brothers to marry and possess the same woman at the same time, who thus becomes the wife in com-

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mon to all : of this usage a full account will be given hereafter ; but the general ideas regarding female virtue may be inferred from the admission of a practice so disgusting.'—p. 70.

This revolting custom he afterwards found to be common throughout the whole of the hilly country ; and we may here observe, that it is by no means confined to these highlands, but that the lower tribes of the Nairs, on the coast of Malabar, and the people of Thibet, follow the same practice. We can hardly reconcile to ourselves the explanation given by Mr. Fraser for so unnatural a custom—the difficulty of raising a sum of money for the purchase of a wife, and the expense of maintaining her. But further, if one woman is allowed to have four or five husbands, how are the rest of the females disposed of ? The question it seems was asked, but, says our author, ' it was never satisfactorily solved.' He thinks, however, that a part of the redundant female population is disposed of into slavery ; which is not at all improbable. Be that as it may, the fact is unquestionable ; and the custom has, as might be supposed, a most injurious effect on the morals of the females, who, we are told, are entirely at the service of such as will pay for their favours ; a practice from which they are not discouraged by education, example, or even by the dread of their husbands, who only require from them a part of the profit.

' It is remarkable, that a people so degraded in morals, and many of whose customs are of so revolting a nature, should in other respects evince a much higher advancement in civilization, than we discover among other nations, whose manners are more engaging and whose moral character ranks infinitely higher. Their persons are better clad, and more decent : their approach more polite and unembarrassed ; and their address is better than that of most of the inhabitants of the remote highlands of Scotland ; although certainly the circumstances under which they saw Europeans for the first time, were sufficient to have confounded them much more than any that usually occur in the most distant uncouth parts of the latter ; and their houses, in point of construction, comfort, and internal cleanliness, are, beyond comparison, superior to Scottish highland dwellings.'—p. 209.

At a village near the banks of the Girree our traveller witnessed an extraordinary piece of discipline, to which the inhabitants of the hills subject their children.

' Several straw sheds are constructed on a bank, above which a cold clear stream is led to water their fields, and a small portion of this, probably of three fingers breadth, is brought into the shed by a hollow stick or piece of bark, and falls from this spout into a small drain, which carries it off about two feet below.

' The women bring their children to these huts in the heat of the day, and having lulled them to sleep, and wrapt their bodies and feet warm
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in a blanket, they place them on a small bench or tray horizontally, in such a way that the water shall fall upon the crown of the head, just keeping the whole top wet with its stream.

'We saw two under this operation, and several others came in while we remained, to place their children in a similar way. Males and females are equally used thus, and their sleep seemed sound and unruffled.'—p. 105.

He also observed, at the same place, a singular method of lulling children asleep. The mother, seizing the infant with both arms and aided by the knees, gives it a violent whirling motion, that would seem rather calculated to shake the child in pieces, than to produce the effect of soft slumber; but the result was unerring, and in a few seconds the child was fast asleep.

The further the party advanced into the mountainous regions the more the natural produce of the soil put them in mind of home. 'Asia,' says Mr. Fraser, 'was almost lost in our imagination; a native of any part of the British Isles might here have believed himself wandering among the lovely and romantic scenes of his own country.' They were now, however, on a range of hills called the *Sine*, whose height has been conjectured at 8000 feet. Yet, so early as the 8th of May, the corn was nearly ripe in the valleys, the peach and apricot trees were in full bearing, and the pear trees and mulberries loaded with fruit; such is the powerful influence of the sun in these mountainous tracts notwithstanding their great elevation. The difference of latitude will fully explain why the mountain rice, which there grows so luxuriantly, cannot be cultivated on the warmest soils in England; for although from their great elevation the winter's cold is perhaps more severe than our own, yet we want the influence of their cloudless skies and the intense heat of their summer's sun. Wheat and barley were both common; but the cultivation of rice appeared to employ their chief care. The tilth both for this and other grain was observed to 'exhibit a clean, equal, well-worked appearance, which could not be surpassed by an English farmer, with all his various and expensive apparatus;' that of the hill farmers, it is almost unnecessary to add, is of the simplest and rudest kind.

Proceeding northerly and more deeply into the mountains, our travellers passed several villages in ruins, but others were thickly scattered over the face of the hills, and sometimes perched on their crests. Those inhabited by Brahmins were always remarkably neat, (an observation which should have mitigated our author's spleen against this unfortunate caste,) and generally surrounded by walnut, apricot, mulberry and other fruit-bearing trees. Many of the tops of the hills were covered with woods of larch, fir, and oak. Watch-towers of stone, from fifty to sixty feet high, appeared in this part of the country, and temples were numerous

merous, exhibiting a mixture of Hindoo and Chinese taste in their form and ornaments.

In this flourishing district, Mr. Fraser seems at a loss to account for the difficulty experienced in procuring grain. Although the natives (he says) were offered their own price for it, they not only refused, on some pretence or other, but frequently denied that they had any to dispose of; and he is the more surprised since, he adds, 'they must have felt that the strong arm of power was at hand to enforce compliance with its demand.

'Here,' says he, 'we have a true and striking specimen of the falsehood and cunning policy, as well as of the shortsightedness, and the inconsistency of the Asiatic. He advances with a cringing and respectful demeanour, and to a plain direct inquiry at once replies by a downright untruth, supported by many assertions and good reasons, and seasoned with a sufficient dose of flattery and entreaty. He neglects his immediate and apparent interest for a remote and contingent advantage; and, trusting to his good fortune, and to that flattery which is so cheap, and which he thinks he can use so effectually, and to his own cunning and proficiency in deceit, so often successful, he braves and often exasperates a power that can crush him.

'Such was the conduct of the hill people on this occasion, and it will probably be found of a piece with the whole tenor of that uncertain, vacillating, mean, and narrow policy, which marks and stains the Asiatic character. From such men no steady or good course of conduct can be looked for; on them no reliance can be placed. Even the tie of interest seems unsteady when viewed through so uncertain a medium.'—p. 129.

Now, we do not think it at all surprising that men, who had but a few years before been subjected to the unlimited rapacity and plunder of a Ghorkha army, should have their suspicions and fears awakened on the second approach of an armed force, however correct its conduct, and sincere its professions. Whether this, and other obstructions thrown in the way of the party, contributed to put our author in ill humour with these mountaineers, we know not, but we cannot help thinking that he has viewed these simple and ignorant people with a somewhat prejudiced eye; and that, on the whole, they are not deserving quite so bad a character as he almost invariably seems inclined to give them.

'In every dealing of inferior importance that occurred on the march, they prevaricated, trifled, and endeavoured to disappoint or deceive us. Seldom could a direct answer to any question be obtained; or all was fair promise without an idea of fulfilment, although they were aware that the means of enforcing performance were in our hands, and no obvious benefit was to be obtained by withholding what was demanded. The corn wanted for the troops and required of them, but which they
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either declared their inability to supply, or about which they equivocated for days, was at last, on search, found in abundance in their houses, although the price fixed upon it by their own headman had been advanced for its purchase; and this at a time when they knew that the Ghoorkha power was overthrown, and the British arms had broken their own chains: this was not only a very unamiable, but a very unaccountable trait in their character. Like most Asiatics, but not exceeding them, they are severe and tyrannical masters, but cringing to a disgusting degree to those whom they know to be their superiors in power. Those who were foremost in denying to us the necessities we wanted, were, when brought before us, by far the most servile and abject in their professions of service and devotion.'—pp. 201, 202.

This is not all; he accuses them of obstinacy and laziness, though his own account of the general appearance of the country, and the neatness of their houses, sufficiently refutes this part of the charge; he even denies them the common savage virtue of hospitality, and declares, that he does not believe a vessel of milk was ever given from a kind motive. 'No present,' he says, 'was ever offered without a hope, nay, tolerably full persuasion, of a more valuable consideration being returned.' This we conceive to be matter of inference rather than of fact. The same observation will apply to the following passage: 'The presents of sheep and goats that were offered to us were not to be considered as the voluntary gifts of a grateful, generous, or obliging disposition; they were the peace offerings customary in the country, the tender of an inferior who needs protection, and thus solicits it from a superior.' This censure of the natives is by no means confined to the places visited by our army; it extends over the whole of his tour: long after he had quitted the political agent with whom he set out, and was on his return from the Source of the Ganges, he recurs to this hostile feeling, and thus sums up their character.

'If these roving principles (of theft and rapine) were found united with the usual highland virtues, it would be well; but it is melancholy to observe that, of the warmth of heart, of that generous and open hospitality, of that keen sense of honour, rigid fidelity to trust, and steady romantic friendship, which adorn the rough character of the European highlander, which in some measure redeem his ruder and more lawless acts, and force admiration to mingle with our censure, no traces are here to be met with. The mean, cringing, and crafty nature of the Asiatic has blended with the hardy impetuous courage of the highlander, and, like poison, blasted all the good that belonged to the character. In the course of our tour through these hilly regions, much of treachery, of theft, of usurpation, of low despicable knavery, of falsehood, nay even of murder, came to our ears; but not one honourable, not one generous or hospitable act. The excitement of all the better feelings to virtue is unknown; and fear is the only effectual instrument

strument to compel them to honesty, even in their simplest dealings.'—pp. 486, 487.

It is but fair, however, to add, that Mr. Fraser is in some measure borne out in his character of these mountaineers by the statement of one of our officers, who observed, that 'their hand was against every man, and every man's hand was against them.' Mr. Fraser does indeed admit that their natural character may have been disguised and distorted by violence and tyranny; he admits too, that whole districts have given proof of a high degree of courage, and that some have manifested a decided faith in British power and honour, when permitted to declare themselves. The Ghoorka army, against whom we had been contending, was chiefly raised in the conquered districts, and composed of the same kind of materials as those which have fallen under his censure; and yet the following is the description of a garrison that had surrendered:

'When we thus saw a portion of the Ghoorkha army together, and marked them, so miserable, stript, and unarmed, we could not but ask ourselves with astonishment, were these the men who had so well defended the fort of Kalunga, who had so often foiled our regular troops, and had protracted the campaign to such a length, by their constancy and bravery? Yet among them there were many fine looking young men; and there was a cheerfulness of countenance, a modest confidence of demeanour, that could not but pleasingly attract observation.

'They were prisoners; they had lost their all; and they had been in the power of a cruel and treacherous enemy; nor could they well say what they had to expect: but no murmurs of lamentation or discontent were heard; good humour and lightness of heart absolutely seemed to prevail among them, yet without noise or tumult. The hum of many voices was heard, and the noise of encamping, making their cooking places, pitching a stick to suspend a blanket from, that their wives and children might be somewhat shielded from the sun; but no disputes, no quarrels occurred: and the quietness with which all was conducted might have afforded a lesson to the more disciplined troops of other nations. Among the women we remarked several who were fair, and had good features: they were chiefly natives of Bischur and Gurwhal, who had married Ghoorkha soldiers, and now followed their husbands' fortunes.'—p. 224.

The high notions of strict obedience and fidelity by which these people are animated towards their superiors, were finely exemplified in the person of Kirtee Rana, the captive Ghoorka chief, a man of seventy years of age. On being asked what could induce him, at such a time of life, to leave his native land, his eye sparkled, and with great emphasis he replied, "My master, the Rajah, sent me: he says to his people, to one, go you to Gurwhal; to another, go you to Cashmere, or to any distant part. My lord,

thy slave obeys; it is done. No one ever inquires into the reason of an order of the Rajah." Another chief, on being asked whether, according to the terms of the capitulation, he would return to Nepaul, answered "No; I can no more visit my country; I must look for service elsewhere; I can never face the Rajah again, for I have eaten Ghoorkha salt. I was in trust, and I have not died at my post. We never can return to our country." And all the soubadars and chiefs present, shaking their heads, said, "No; we never can return."

The highest peaked hill between the Sutlej and the Jumna, short of the snowy range and its immediate shoulders, is the Choor, from which other hills radiate as from a centre. On these Mr. Fraser met with numerous European plants; the ferns, he says, were very beautiful, 'and even the humble buttercup gave rise to a pleasing recollection:' but though he mentions the interminable pine forests in the valley of the Choor, he does not notice the size of those magnificent trees, which, we learn from other authorities, measure in circumference 24 feet, and tower in a straight and even trunk to the enormous height of 180 feet.

The fatigue of travelling in those wild regions is excessive, not only from the roughness of the roads, but from the universal abruptness of the sides of every hill; it is a perpetual succession of steep ascent and precipitous descent to and from heights that vary from two to six thousand feet.

'From the pass,' Mr. Fraser says, 'between the two peaks of the Urructa mountain, looking to the northward, the whole stupendous range of the Himālā burst upon our view, now no longer fading into distance, but clear and well defined. Bright with snow, and rising far above all intervening obstacles, they stretched, bounding our view from far beyond the Sutlej, till our sight was interrupted, where, in all probability, the hills of Gungotri and Buddrinaath arose.

'The day was clear, and only here and there a black cloud rested on the highest peaks. The scene was majestic, and if the epithet can justly be applied to any thing on earth, truly sublime.

'There is that in the appearance of the Himālā range which every person who has seen them will allow to be peculiarly their own. No other mountains that I have ever seen have any resemblance to their character. Their summits shoot in the most fantastic and spiring peaks to a height that astonishes; and, when seen from an elevated situation, almost induces the belief of an ocular deception.'—p. 159.

We should hardly have expected to find in this remote and sequestered part of the world, the rude counterpart of one of the machines employed in the art of war, and in common use in the best days of the Romans.

'While conversing with Thiken Dās upon the means for reducing the garrison,

garrison, he told us, that he expected a man from his own country, who would construct a machine, by the help of which, the fort would soon be compelled to surrender. On his describing this machine, we were not a little surprised to find, that it was almost exactly similar to the catapulta of the Romans for projecting large stones. He plainly stated it to be framed of strong ropes, and large beams of wood; one of which, a large tree, was to be pulled back by the force of from one to two hundred men, and a heavy stone, of from seventy to two hundred pounds, to be thrown by its reaction to a great distance, which, falling on a house or fort, would destroy it and the garrison. He said, that it had been used in that country more than once, with success; and that when one or two stones of a certain weight had been thrown, they could easily judge of the weight that would carry to the distance required; and would reach their object with certainty every time they discharged stones at it. We had no better authority for believing that this machine ever had been in use here, excepting the assurance of other natives of the same country in confirmation of his report.—p. 167.

But the same means, with a greater or less degree of art and refinement, are resorted to for producing the same effect in all parts of the world, however civilized or however savage; thus the most obvious of the mechanical powers, usually so called, are employed by all nations; and thus the finest iron is obtained in these mountains by a smelting furnace of the following description.

‘The apparatus and construction of this is very simple, consisting of a chimney built of clay, about four feet and a half high, by fifteen to eighteen inches diameter, placed upon a stage of stone work over a fire-place. In an opening below the stage there is a hole, through which the metal, when melted, flows; and this is stopped by clay or earth, easily removed by an iron poker. The ore, which is black, but glittering with metallic lustre like black ore of antimony, was mixed with charcoal pounded, and the chimney filled with the mixture; and as it falls and consolidates, more is added from above. The fire, once lighted, is kept fierce by means of two pair of bellows, each made of a goat’s skin, fixed in some way to the stone stage, and filled through apertures closed with valves as ours are. A woman or boy sets between two of these skins, and raises and compresses them alternately with the hand. Four such skins are thus applied to each chimney.’—p. 173.

Comharsein, which Mr. Fraser had now reached, is a petty state on the banks of the Sutlej, whose Rana, or sovereign, resides at a mean village of the same name, consisting of about a dozen houses. The breadth of the river here was considerable, the water falling over ledges of rocks: on the banks were several huts of gold-finders, who procure the metal by washing the sand brought down by the current. The height of the village above the bed of the stream is estimated at 3000 feet. A short but fatiguing

figuring day's march brought them to the village and temple of Manjee. Of the village our traveller says nothing; but he speaks with just praise of the temple; and, indeed, if the mountaineers, and not (as we rather incline to think) the Chinese, were the artists employed in its construction, they deserve the praise of singular ingenuity, considering the rude implements they have to work with, and that, as Mr. Fraser tells us, even the saw is unknown among them.

'The temple was remarkably neat, quite in the Chinese style, as usual: it is sacred to the goddess Bhowannee. The whole of the interior is sculptured over in wood, with infinite labour, and probably forms a detail of the exploits of the deity: with these I am wholly unacquainted; but she seems to have been frequently engaged with monsters of very uninviting shapes. That portion of the carving, however, which neither represents the human nor animal figure, is by far the most beautiful. The whole roof, which is formed of fir wood, is richly cut into flowers and ornaments, entirely in the Hindoo taste, with a sharpness and precision, yet an ease that does honour to the mountain artist; and, considering his tools and materials, it is truly wonderful. The shrine of the goddess was in the centre, and a small pair of folding doors opening, disclosed her; but the outside apartment, containing the sculptured work, was filled with people of all sorts, apparently without any scandal or sense of impropriety to the priesthood, who inhabited the interior. There were several small pagodas, similar to those at Hat-Gobeseree, and much curious sculpture in stone; but it was wholly of a schistose and crumbling nature, which appeared to be mouldering into dust, and therefore could not be very ancient.'—p. 196.

Ascending still higher as they proceeded northwards, the party reached the Moral-ke-kanda, the loftiest mountain short of the snowy range, and that which divides and turns the waters of Hindostan; all those on its eastern face flowing into the Pabur and Girree, which, with the Touse and Jumna, find their way, by the channel of the Ganges, into the bay of Bengal; whilst those from the western side are carried, by the Sutlej and the Indus, into the gulph of Sinde and the Arabian sea. The summit of this range was streaked with snow in the middle of June; but in its ravines were abundance of apricots, peaches, apples and pears; mulberry trees were also plentiful, and the horse chestnut, from the bitter fruit of which a species of food is prepared, in use among the peasantry of the neighbouring villages; grapes were also abundant.

Leaving this place, and climbing over innumerable precipices, the party advanced to Rampoor, on the banks of the Sutlej, a small town rising in tiers of streets and houses one above another, while the river foams and dashes at its feet, and the mountains hang over it in frightful projection. This place may be considered

dered as the capital of the Bischur district, and was, in fact, the only spot which they had seen deserving the name of a town since they entered the hills. It contained two well-built palaces, the roofs of which were ingeniously tiled with a purple coloured slate. 'It was impossible,' says our author, 'to look at the carved ornaments in wood, the pillars, the screens, the cornices, or the smaller and nameless pieces that every where covered the walls in front, without being struck with admiration at the beauty of their execution.' Rampoor was once a flourishing place, being the *entrepot* of commerce between Hindostan and Cashmere, Ladak, Bootan, Cashgār, Yarcund and the two Thibets. Beyond the Sutlej, and opposite the town, is a ghaut or pass through the Himalaya range, the only one to the westward of that near Buddranath, at the head of the Alicanunda, through which Mr. Moorcroft passed; hence it became to the westward what Srinugger was to the eastward, the general mart for the products of India and Tartary. Mr. Fraser seems to think that by means of this pass the shawl-wool trade, now monopolized by Cashmere, and by far the most profitable which it enjoys, might partially be directed to Hindostan: but is he quite sure that the skill of the Hindoo weaver is equal to that of the Cashmerian? Besides, the introduction of so small a quantity (for small it must be) can scarcely be an object of much moment with the government of a state containing from sixty to eighty millions of people; while the deprivation of it would occasion misery to thousands whose entire subsistence depends on the manufacture in Cashmere.

What the nature of the pass may be, to which Rampoor owed its former prosperity, we know not, as Mr. Fraser passes it over in silence; but the communication across the Sutlej, by means of a singular species of bridge called a *j'hoola*, appears to us but ill adapted to the purposes of commercial intercourse.

'At some convenient spot, where the river is rather narrow and the rocks on either side overhang the stream, a stout beam of wood is fixed horizontally upon or behind two strong stakes, that are driven into the banks on each side of the water; and round these beams ropes are strained, extending from the one to the other across the river, and they are hauled tight, and kept in their place, by a sort of windlass. The rope used in forming the bridge is generally from two to three inches in circumference, and at least nine or ten times crossed to make it secure. This collection of ropes is traversed by a block of wood hollowed into a semicircular groove large enough to slide easily along it, and around this block ropes are suspended, forming a loop, in which passengers seat themselves, clasping its upper parts with their hands to keep themselves steady; a line fixed to the wooden block at each end, and extending to each bank, serves to haul it, and the passenger attached to it, from one side of the river to the other.

'The j,hoola at Rampore was somewhat formidable, for the river tumbles beneath in a very awful way; and the ropes, though they decline in the centre to the water, are elevated from thirty to forty feet above it; the span is from ninety to a hundred yards. It was amusing enough to see several of our low country attendants arming themselves with courage to venture on this novel mode of transit; and I must confess, that although it was evident that the actual danger was small, it was not without certain uncomfortable feelings that I first launched out on the machine to cross the Sulej. We found, however, that accidents do sometimes occur; and it was scarcely twelve months since a Brahmin who had come from Cooloo, having loaded the ropes with too great a weight of his goods, and accompanied them himself, fell into the stream, was hurried away, and dashed to pieces.'—pp. 260, 261.

Mr. Fraser's opinion of the natives of these wild and wonderful regions does not appear to improve as he proceeds.

'The inhabitants of Nawur and Teekur (he says) are notorious for infamy of character even in this country, (Bischur,) where all are bad. They are revengeful and treacherous, deficient in all good qualities, abandoned in morals, and vicious in their habits. As a proof of the savage indifference with which they look on the life of another, and on the act of shedding human blood, it is said that mere wantonness or a joke will induce the crime of putting a fellow creature to death, merely for the satisfaction of seeing the blood flow, and of marking the last struggles of their victim: and some facts that came under our observation of a tantamount nature, give too much reason for believing the assertion to be founded in truth. Female chastity is here quite unknown; and murder, robbery, and outrage of every kind, are here regarded with indifference.'—p. 267.

Our author must forgive us, if we do not readily yield our belief to these sweeping charges, especially as they appear to be supported by little more than mere hearsay. We have followed Mr. Fraser with equal interest and pleasure through the awful magnificence of glen and mountain, but we cannot call to mind the mention of a single fact, as connected with his own experience, which bears him out in the smallest part of this outrageous summary. We greatly fear that he took the character of these people from the Goorkhas, who formed a part of his escort, and who soothed their mortified feelings by calumniating those whom they were no longer permitted to oppress and plunder. However this may be, it will be seen that no part of their vices can be attributed to the example of their sovereign.

'This morning the young rajah came to pay his respects to the British authority. He is a small, ill-grown child, of between six and eight years old; his manners and countenance both marked and formed, and not at all like those of so young a person. His nose is much hooked, and he has large, full, and sparkling black eyes. He is affected by

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that species of glandular swelling of the neck so common among the people of the hills, known in Europe by the name of goitre. His father, we learnt, was afflicted with it; and in this boy it was certainly hereditary. He seemed much frightened, or overpowered, either by terror and confusion, or by *mauvaise honte*, and continually made salaams and prostrations to us, which seemed to have been studiously taught him, and which he had got by heart with much success. After he had been some time seated on one of our knees he appeared more at ease, and answered several questions naturally enough, displaying some intelligence and freedom; but he was kept apparently in great order, and felt much awe at those who were with him, as well as those whom he was visiting. We did all in our power to inspire him with confidence, and to make him pleased with his entertainers, presenting him with such little articles as he was likely to admire; and I think he went away far less frightened, and a good deal gratified. He was attended by a considerable suite of retainers, heads of families, and landholders, who seemed very solicitous about him. A most earnest and strenuous request was made, that, while the young rajah was in our tent, no Ghorkha might be permitted to venture near: they were afraid lest these dreaded people might throw spells on the child, and bewitch him. We respected their prejudices, and took care that no such dangerous characters should have access near the sacred person of the young rajah; who retired in about two hours to his own house, after having made his *nuzur* to the British government as to a respected superior.—pp. 346, 347,

The young rajah resides at Seran, a town considerably above the immediate channel of the Sutlej, and of which his palace forms the principal ornament. Elevated as the hills were in this district, the villages were numerous, and generally situated amidst groves of fruit trees, round which the grape twined itself loaded with the richest fruit. The sloping sides of the hills were covered with endless tracts of the finest scarlet strawberries. The heat was excessive, though immediately under vast mountain peaks covered with eternal snow.

The native animals of these mountains are not described in a way that would afford much amusement or information to our readers. We shall notice only the musk-deer.

‘The most curious and worthy of attention is, perhaps the musk-deer. It is an animal by no means common in any situation, but keeps entirely to the most inaccessible and remote heights, among rocks and forests that defy the foot of man. They cannot endure heat, and several young ones which were presented to us invariably perished, after being exposed a few days to the warmth of a lower region. The figure of the musk-deer is somewhat singular. It attains the size of a fallow doe, or small buck, and its body and legs are completely those of a deer. The head, however, bears some resemblance to that of a hog; the eye is black and full, but not so large as that of a deer usually is; and the sharp snout and wrinkled countenance give it a considerable

resemblance to a pig's head, which is rendered more remarkable by the two tusks that project from the upper jaw, and hang, pointing downward, considerably over the lower; and their colour is dark brown. It is commonly known that the musk is contained in a liquid state in a small bag near the navel of the animal. When it is caught, this bag is taken just as it is found, and cut from the beast while yet alive. A small hollow reed is inserted into it that the musk may not suffer, as it would be apt to do, from want of air; and the whole is tied around with a sinew of the animal. In this state, when it has dried, which it does in the shape of small brown grains, it is sold together with the skin for about twice its weight in silver. It is said that the animal must be caught alive in order to obtain its musk. Should it be shot, the drug (it is affirmed) is absorbed into the body, and consequently not only lost, but the animal is rendered uneatable. The great value of the article makes the animal an object of great request. Whenever, therefore, it is understood that a musk-deer has been seen on any particular hill, the whole country is turned out, to hunt him down. This alone would tend to create scarcity of the animal; and if it is as rare in the hills to the south-eastward, and on the opposite side of the Himālā range, as it is in that portion between the Sutlej and Alacnunda, there is little danger that the market will ever be overstocked by the genuine musk. —pp. 352, 353.

We have no doubt that a little time will bring to light many objects of natural history peculiar to the elevated regions of central Asia, and hitherto unknown in the animal, vegetable, and mineral kingdoms, particularly in the two former. This is an opinion which we have long entertained; but we are led to the expression of it on the present occasion, by having been favoured with the perusal of a most interesting communication from Major Latter, commanding in the Rajah of Sikkim's territories, in the Hilly Country east of Nepaul, addressed to Adjutant General Nicol, and transmitted by him to the Marquis of Hastings. This important paper explicitly states that the unicorn, so long considered as a fabulous animal, actually exists at this moment in the interior of Thibet, where it is well known to the inhabitants. 'This,'—we copy from the Major's letter—'is a very curious fact, and it may be necessary to mention how the circumstance became known to me. In a Thibetian Manuscript, containing the names of different animals, which I procured the other day from the hills, the *unicorn* is classed under the head of those whose hoofs are divided; it is called the one-horned *tso'po*. Upon inquiring what kind of animal it was, to our astonishment, the person who brought me the manuscript described exactly the unicorn of the ancients: saying, that it was a native of the interior of Thibet, about the size of a *tattoo*, (a horse from twelve to thirteen hands high,) fierce and extremely wild; seldom, if ever, caught alive, but frequently shot; and that the flesh was used for food.'

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‘The person,’ Major Latter adds, ‘who gave me this information, has repeatedly seen these animals, and eaten the flesh of them. They go together in herds, like our wild buffaloes, and are very frequently to be met with on the borders of the great desert, about a month’s journey from Lassa, in that part of the country inhabited by the wandering Tartars.’

This communication is accompanied by a drawing made by the messenger from recollection: it bears some resemblance to a horse, but has cloven hoofs, a long curved horn growing out of the forehead, and a boar-shaped tail, like that of the ‘fera monoceros,’ described by Pliny.* From its herding together, as the unicorn of the Scriptures is said to do, as well as from the rest of the description, it is evident that it cannot be the rhinoceros, which is a solitary animal; besides, Major Latter states that, in the Tibetan manuscript, the rhinoceros is described under the name of *serro*, and classed with the elephant; ‘neither,’ says he, ‘is it the wild horse, (well known in Thibet,) for that has also a different name, and is classed in the MS. with the animals which have the hoofs undivided.’ ‘I have written (he subjoins) to the Sachia Lama, requesting him to procure me a perfect skin of the animal, with the head, horn, and hoofs; but it will be a long time before I can get it down, for they are not to be met with nearer than a month’s journey from Lassa.’

We must now return to Mr. Fraser. From Seran he struck off to the south-east along the banks of the Pabur and the Touse, crossing the country, till, on the 9th of July, he reached the banks of the Jumna. Here he quitted the political agent, (with whom he had hitherto travelled,) in order to pay a visit to Jumnotree, the celebrated source of this river. For this purpose he took with him an escort of soldiers, guides, porters, and pilgrims, amounting to about sixty people. It would be tedious to follow him through the same kind of country in which we travelled with him before, through a rapid succession of glens and forests, rocks and rills, jungles and swamps, all minutely and circumstantially described. Suffice it to say, that after a most fatiguing journey the party reached an ascent, from which they had the first sight of Jumnotree, and, at the same time, of a deep and dark glen below them, called Palia Gadh, ‘which,’ says Mr. Fraser, ‘is the outlet of the waters of one of the most terrific and gloomy valleys I have ever seen.’

* In speaking of the wild beasts of India, Pliny says, with regard to the animal in question, ‘Asperissimum autem feram monocerotem, reliquo corpore equo similem, capite cervo, pedibus elephantis, cauda apro, mugitu gravi, uno cornu nigro media fronte cubitorum dōum eminente. Hanc feram vivam negant capi.’—*Plin. Hist. Mund. lib. 8, cap. 21.* The resemblance is certainly very striking.

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‘ But it would not be easy to convey by any description a just idea of the peculiarly rugged and gloomy wildness of this glen : it looks like the ruins of nature, and appears, as it is said to be, completely impracticable and impenetrable. Little is to be seen except dark rock ; wood only fringes the lower parts and the water’s edge : perhaps the spots and streaks of snow, contrasting with the general blackness of the scene, heighten the appearance of desolation. No living thing is seen ; no motion but that of the waters ; no sound but their roar. Such a spot is suited to engender superstition, and here it is accordingly found in full growth. Many wild traditions are preserved, and many extravagant stories related of it.

‘ On one of these ravines there are places of worship, not built by men, but natural piles of stones, which have the appearance of small temples. These are said to be the residence of the dewtas, or spirits, who here haunt and inveigle human beings away to their wild abodes. It is said that they have a particular predilection for beauty in both sexes, and remorselessly seize on any whom imprudence or accident may have placed within their power, and whose spirits become like theirs after they are deprived of their corporeal frame. Many instances were given of these ravishments : on one occasion a young man, who had wandered near their haunts, being carried in a trance to the valley, heard the voice of his own father, who some years before had been thus spirited away, and who now recognised his son. It appears that paternal affection was stronger than the spell that bound him, and instead of rejoicing in the acquisition of a new prey, he recollected the forlorn state of his family deprived of their only support : he begged and obtained the freedom of his son, who was dismissed under the injunction of strict silence and secrecy. He however forgot his vow, and was immediately deprived of speech, and, as a self-punishment, he cut out his tongue with his own hand. This man was said to be yet living, and I desired that he should be brought to me, but he never came, and they afterwards informed me that he had very lately died. More than one person is said to have approached the spot, or the precincts of these spirits, and those who have returned have generally agreed in the expression of their feelings, and have uttered some prophecy. They fall, as they say, into a swoon, and between sleeping and waking hear a conversation, or are sensible of certain impressions as if a conversation were passing, which generally relates to some future event. Indeed, the prophetic faculty is one of the chiefly remarkable attributes of these spirits, and of this place.’—pp. 408, 409.

Nothing can equal the wild and rugged scenery which our traveller describes between this valley and Jumnotree. Cataracts, of many hundred feet, precipitate themselves down the steep sides of the mountains ; while the foliage assumes a character suited to the general tone of the country, dark, heavy, and luxuriant ; ‘ yet among the dusky firs and thickets of oak, were still seen the white rose rising in rich clusters to the tops of the old trees, and the jasmines creeping lower, but at times almost overarching the

path ;

path; while under foot the strawberry, ferns, and yellow, blue, and white blossoms of innumerable flowers, furnished a sweet and remarkable contrast, on which the eye, weary with a continual stretch to the crags above, reposes with pleasure.'

The travellers were now in the very heart of the lofty range of Himaleh, whose peaks towered in majestic grandeur above their heads, more especially that of Bunderpouch, which Mr. Fraser says is 'a prodigious mountain.' It is the same which Captain Webb calls the peak of Jumanavatari, and whose height is calculated by Mr. Colebrooke, from that officer's distant observations of the angle it subtended, at 25,500 feet. At the very foot of this mountain, elevated as the situation was, village succeeded village, in the most romantic and terrific positions, and surrounded on every side with snow. Yet even here Mr. Fraser talks of 'descending gently along a lovely, wooded, and flowery path;' of growing wheat; and of 'the finest walnut-trees he ever saw.' On reaching Cursalee, the last village on this side Jumnotree, he fell in with a concourse of people, assembled to perform the annual ceremony of carrying the images of their Gods to wash them in the sacred stream of Jumna. Men and women, in a state of intoxication, indiscriminately joined in a grotesque and savage dance to the sound of wild and uncouth music; this kind of frantic worship is continued for several days and nights, and, in truth, says Mr. Fraser, it is in unison with their general manners and habits, which are barbarous and inconsistent!

At the end of a painful and perilous day's journey beyond this place, they reached the temple of Byramjee, (a subordinate divinity to Jumna,) stationed here to announce the approach of votaries to the more sanctified shrine of the goddess. Here a Brahmin officiated at a little temple without any image, built of loose stones, and about three feet high, perched on the point of a rock overhanging the stream, which roars and foams at a tremendous depth below: to this depth they had again to descend, and to cross and recross the river many times; while the water, fresh from beds of snow, was so intensely cold as almost to benumb the joints. 'Each time we plunged in,' says Mr. Fraser, 'we felt as if cut to the bone.' Just in advance of the sacred spot, to which they were approaching, the river was formed by a junction of three streams, one of which issued from under a prodigious avalanche of snow which had slid down the side of the steep mountain, 'whose very peaks,' says our traveller, 'are seen towering above us, as ready to overwhelm the gazer with the snow from their summits.' Scrambling up a steep ascent of rocks, loose stones, and precipices, a short walk brought them to Jumnotree.

This sacred spot is situated just below the place where a
multitude

multitude of small streams, occasioned by the melting masses of snow, trickle down, and unite in a large basin; this however is inaccessible, and completely hid from the eye by the breast of the mountain, 'which is of vivid green from perpetual moisture, and furrowed by time and the torrents into ravines, along which the numerous sources of this branch of the Jumna rush with inconceivable rapidity. 'Above this green bank,' says Mr. Fraser, 'rugged, bare, and dark rocky cliffs arise; and the deep calm beds and cliffs of snow, towering above all, finish the picture.' The ceremony of ablution is performed in several streams of warm water, which issue from various sources; one of the largest, which sprang up in a column of very considerable size, was, our traveller says, so hot that the hand could not bear to be kept in it one moment; it was pure, transparent and tasteless.

The magnificent mountain of Bunderpouch, which towers above the sacred spot, where the goddess Jumna has fixed her abode, is said to terminate in four peaks, though two of them only appear when observed from the west; the Brahmins affirm that in the cavity formed by them is a lake of peculiar sanctity. No one has ever seen, much less approached, this lake; for besides the physical difficulties which are absolutely insurmountable, the goddess has prohibited any mortal from passing beyond the spot appointed for her worship. 'This is satisfactorily proved to every good Hindoo by the following incident:

'A *fuqeer** once lost his way in attempting to reach Jumnotree, and was ascending the mountain, till he reached the snow, where he heard a voice inquiring what he wanted; and, on his answering, a mass of snow detached itself from the side of the hill, and the voice desired him to worship where this snow stopped; that Jumna was not to be too closely approached or intruded on in her recesses; that he should publish this, and return no more, under penalty of death.'—p. 419.

Captain Hodgson visited Jumnotree, or Jumoutri, in April, 1817, when the mass of snow which had fallen from the heights above, of 60 yards wide, covered and concealed the stream of the Jumna; this mass was wedged in on the right and left by several precipices of granite, and was found to be 40 feet thick, by letting down a plumb line through one of the holes which a stream of

* This word (which no human organ can articulate) stands, we suppose, for what is usually termed a *faqir*! We are almost put beyond our patience by the miserable affectation of giving a new appearance to every Eastern term in common use. We have *wuzzeers* and *vuzzeers*; *nuwabs* and *nawobs*; and, after all, do not approach a jot nearer to the true sound than when we used the pronunciation of our fathers, and said *viziers* and *nabobs*. Why do not the gentlemen who write on India, follow some respectable standard of orthography, instead of setting up, each in his individual capacity, for a leader?

water,

water, of the temperature of boiling, had eaten into it. The peak (Bunderpouch) is estimated by him at the height of 25,000 feet.

Mr. Fraser now determined to cross over the gorges of the mountains, in as direct a road as possible, so as to reach the Bhagarutee, (long considered as the chief branch of the Ganges,) at a point not very distant from its source, where stands the shrine of Gangotree, the holiest of the holy, and of all others the most difficult of approach. His companions, or rather his guides, admitted that the journey had been performed, but described it as a most dangerous route; affirming that a pestilential wind blew from the mountains, which rendered the traveller senseless and deprived him of motion. He determined, however, to make the attempt, and on the 16th of July set out on his adventurous expedition. The peak of Bunderpouch exhibited one prodigious snowy mass, without a black speck; below it the snow lay in vast masses, cut into ravines, of such a depth that when our traveller asked his companions if they thought them 300 feet deep, 'they smiled and said that 500 cubits would not fathom them.' The whole of the first day's journey was a desert; 'we met not,' Mr. Fraser says, 'with the slightest sign of man: not a house nor a hut appeared; not the smallest trace of cultivation; it was desolate throughout, but the hills were particularly verdant, and the pasture wonderfully rich; lovely flowers of the most brilliant hues burst through the green carpet, and cowslips and polyanthus smiled among the heaths and juniper bushes.

The second day they arrived at the extreme height to which vegetation extends; patches of snow lay on the ground, but plenty of flowers intervened; these were succeeded, as the party advanced, by 'a scanty green slime and brown moss;' but at the top of the ridge even this disappeared. Here the loose stones among the snow made the path slippery and dangerous; and the sepoys and others began to complain of the *bīs* or poisoned wind. Mr. Fraser himself felt a difficulty of breathing, as if there was a want of air to distend the lungs.

'I had no idea,' he says, 'that height could have so severely affected the strength and chest, and yet it must have been this alone, for severe as was the ascent, and bad as the road was, we had met with fully as bad days' journeys before; and though the people asserted that the air was poisoned by the scent of flowers, and though there really was a profusion of them through the whole of the first part of the march, yet the principal part of them had no smell, nor could I perceive any thing in the air except a cold and somewhat raw wind. Besides which, the chief distress was experienced after we reached the lofty gorge of Bamsooroo, which was beyond the region of vegetation, and consequently could not be easily affected by the perfume of flowers. After reaching that place

NO

no one was proof against this influence. It was ludicrous to see those who had laughed at others yielding, some to lassitude, and others to sickness, yet endeavouring to conceal it from the rest. I believe I held out longer than any one; yet after passing this gorge every few paces of ascent seemed an insuperable labour, and even in passing along most level places my knees trembled under me, and at times even sickness at stomach was experienced. The symptoms it produced were various: some were affected with violent headache, others had severe pains in the chest, with oppression; others sickness at the stomach and vomiting; many were overcome with heaviness, and fell asleep even while walking along. But what proved the fact that all this was the effect of our great elevation, was, that as we lowered our situation, and reached the region of vegetation and wood, all these violent symptoms and pains gradually lessened and vanished. The appearance of the higher cliffs, however, both snowy and rocky, and the sensations of this day, proved most satisfactorily that it would be a very arduous undertaking, if not an impracticable one, to ascend even nearly to the tops of these loftiest hills. We could not have been within several thousand feet of even those peaks of snow which were tolerably near us.—p. 449.

On the third day they reached the Bhagarutee, at a village named Sookhee. It was here as broad as the Sutlej; but the scenery was wilder and of a more savage description than any that had yet been seen. The same day brought them to the highest inhabited spot on the river, called Duralee: this village is mentioned by the Moonshee, who, as our readers may perhaps recollect, was sent to explore the source of the Bhagarutee from the spot which arrested the progress of Captain Raper and Mr. Webb. The mountains were here 'unspeakably more lofty, rugged, and inaccessible' than those of the Jumna; they had 'less of beauty and more of horror,' says our traveller; 'more to inspire dread, less to captivate.'

Mr. Fraser, however, found no obstacle to prevent his proceeding, and he seems to doubt the veracity of the Moonshee. His relation, he observes, affords such a singular mixture of truth and falsehood, authenticity, and error, as to create a doubt whether he really proceeded as far as Gangotree or not. His account, for instance, of the *Gae Mouk*, or cow's mouth, is stated to be a pure fiction; and Mr. Fraser is the more at a loss to account for the fabrication of the story, as nothing of the kind is mentioned in the Shasters, nor believed by the officiating Brahmins.

The distance to Gangotree, from the village last mentioned, is estimated at 12 cos. The pundit of the place said it was necessary to leave all Mussulmans behind, to put off the shoes from their feet, and to proceed unarmed. After much discussion, it was stipulated that Mr. Fraser should carry his gun, and five of the people their arms, as far as a cave near the holy spot.

Half

Half way was Bhyram Gattee, 'a very singular and terrible place:' the river is here divided into two branches by a lofty crag thrust between them like a wedge. This crag, though not exactly in the situation stated by the Moonshee, appears to have been his cow's mouth. 'From hence the gigantic features of the mountains may frequently be seen overhanging the deep black glen, their brown splintered spires hardly differing in colour from the blasted pines which start from their fissures and crevices, or even from the dark foliage of those which yet live.' At the end of a sanga, or wooden bridge, under an overhanging rock, worship is performed to Bhyram, whose image is represented by a black stone, streaked with red; and here every one of the travellers was obliged to bathe, and eat bread baked by the Brahmins, as a due preparation for the more effectual ablutions at the holier fane of Gangotree.

From this place, the wildness and extreme ruggedness of the country baffle all power of description. Masses of jagged rock, heaped in the wildest confusion, impeded the track over which the unfortunate pilgrims had to scramble with bare feet, and rendered the accomplishment of this act of piety a very severe and painful penance. They persevered, however, and succeeded in reaching another holy spot, called Gourecounda, where a rapid torrent joins the Bhagarutee, and where a second ablution was required. A little beyond this, at the head of a small shingly beach, stood the object of their long and painful journey, in the shape of a little temple, which is dedicated to the goddess Gunga, or Bhagarutee. Here, as at Jumnotree, the traveller is assured that no mortal has gone, or can go, further—which Mr. Fraser, on trial, found to be pretty nearly the fact.

'The scene in which this holy place is situated is worthy of the mysterious sanctity attributed to it, and the reverence with which it is regarded. We have not here the confined gloominess of Bhyram Gattee: the actual dread which cannot but be inspired by the precipices, and torrents, and perils of the place, here gives way to a sensation of awe, imposing but not embarrassing, that might be compared to the dark and dangerous pass to the centre of the ruins of a former world; for, most truly, there is little here that recalls the recollection of that which we seem to have quitted. The bare and peaked cliffs, which shoot to the skies, yield not in ruggedness and elevation to any we have seen; their ruins lie in wild chaotic masses at their feet, and scantier wood imperfectly relieves their nakedness; even the dark pine more rarely roots itself in the deep chasms which time has worn. Thus on all sides is the prospect closed, except in front to the eastward; where, from behind a mass of bare spires, four huge, lofty, snowy peaks arise; these are the peaks of Roodroo-Himāla. There could be no finer finishing, no grander close to such a scene.

'We

'We approach it through a labyrinth of enormous shapeless masses of granite, which during ages have fallen from the cliffs above, that frown over the very temple, and in all probability will some day themselves descend in ruins and crush it. Around the inclosure, and among these masses, for some distance up the mountain, a few fine old pine-trees throw a dark shade, and form a magnificent foreground; while the river runs impetuously in its shingly bed, and the stifled but fearful sound of the stones which it rolls along with it, crushing together, mixes with the roar of its waters.

'It is easy to write of rocks and wilds, of torrents and precipices; it is easy to tell of the awe such scenes inspire: this style and these descriptions are common and hacknied. But it is not so simple, to many surely not very possible, to convey an adequate idea for the stern and rugged majesty of some scenes; to paint their lonely desertness, or describe the undefinable sensation of reverence and dread that steals over the mind while contemplating the deathlike ghastly calm that is shed over them; and when at such a moment we remember our homes, our friends, our firesides, and all social intercourse with our fellows, and feel our present solitude, and far distance from all these dear ties, how vain is it to strive at description! Surely such a scene is Gungotree. Nor is it, independent of the nature of the surrounding scenery, a spot which lightly calls forth powerful feelings. We were now in the centre of the stupendous Himālā, the loftiest and perhaps most rugged range of mountains in the world. We were at the acknowledged source of that noble river, equally an object of veneration and a source of fertility, plenty, and opulence to Hindostan; and we had now reached the holiest shrine of Hindoo worship which these holy hills contain. These are surely striking considerations, combining with the solemn grandeur of the place to move the feelings strongly.'—pp. 468, 469.

The summit of this holy mountain is split into five peaks, called Roodroo Himālā, (the residence of Mahadeo himself,) Burrumpooree, Bissinpooree, Ordguree Kauta, and Soorga Rounce. These are said to form a semicircular hollow of prodigious extent, filled with eternal snow, from the gradual dissolution of which the principal part of the stream is generated. This is so like the story of the source of the Jumna, and so improbable, that although all the pundits of Hindostan should maintain it, we should withhold our belief. The melting of the snow unquestionably swells the sources of the Ganges during the summer months, but the lofty and remote branches, during the winter, would be dried up, had they no other sources than the water collected in these hollows, which must then become one solid mass of ice. There can be no doubt that permanent streams of water gush from every part of the sides and roots of the whole range of mountains, and that in their passage through the hilly belt they are enlarged by innumerable tributary rills, which every glen or gulley supplies: the numerous hot
streams

streams in the neighbourhood of the Jumna assuredly proceed not from melted snow.

It is much to be regretted that Mr. Fraser had neither thermometer nor barometer in any of his curious journeys, nor any means of judging of the height of the mountains he traversed, or of the inaccessible peaks which he had so many opportunities of viewing, free from clouds, and at no great distance. We cannot, of course, place the smallest reliance on his vague *conjecture*, that, on passing the ridge where vegetation ceased and where the breathing was so strongly affected, they were 'nearly 17,000 feet above the level of Calcutta'; nor can we agree with him in concluding the line of perpetual congelation on the southern side of the Himaleh to be 'somewhere between 15 and 16,000 feet above it.' Matters of this kind are not to be determined by conjecture, and less here, as we have shewn in a former article, than in any other part of the world. When Mr. Fraser, therefore, estimated the pinnacle of Bunderpouch at $2\frac{1}{2}$ miles distance from him, and its height at 4000 feet above him, we suspect that the dazzling brilliancy of the snow rendered him an imperfect judge of distances: otherwise what would become of Captain Webb's measurement, and Captain Hodgson's estimate, which agree in giving 25,000 feet, for the altitude of the Jumnotree (Bunderpouch) above the level of the sea? From all the appearances stated by Mr. Fraser, and more particularly from the abundance of plants, and among others the black currant bush, at or near the sources of the Jumna, the spot from which he viewed Bunderpouch could not possibly exceed the height of Kedar-nath, as observed by Captain Webb, or Gangoutri, as estimated by Captain Hodgson—that is between 12,000 and 13,000 feet: if we take the latter, the addition of 4000 feet will only make the height of this 'prodigious mountain' 17,000 feet; and should we even allow that it was more than twice the altitude above him which he conjectures, we should then only have 21,000 feet for the peak of Jumnotree, which is 4,500 feet short of that assigned to it by Mr. Colebrooke from the observations of Captain Webb. We concur entirely, however, with Mr. Fraser in thinking that 'from the valuable and interesting labours of Captains Webb and Hodgson we may at no distant period hope for a near approximation to the truth;' and that 'till then there seems little danger of falling into a great error in believing that the loftiest peaks of the Himālā mountains range from 18,000 to 22,000 or 23,000 feet above the level of the sea.' On this subject we believe we have already brought forward all that can be safely advanced. We shall soon, however, know more, and be enabled to speak with greater confidence. Our late conquests over the Ghoorkhas,

and the friendly communications which have taken place in consequence of them with the Tartarian subjects of the Emperor of China, hold out the fairest prospect for the extension and improvement of the geography and natural history of the central and elevated regions of Asia.

ART. V.—1. *The Restoration of the Works of Art to Italy.* By Felicia Hemans.

2. *Tales and Historic Scenes in Verse.* By Felicia Hemans.

3. *Translations from Camoens and other Poets, with Original Poems.* By Felicia Hemans.

4. *The Sceptic, a Poem.* By Mrs. Hemans.

5. *Stanzas to the Memory of the late King.* By Mrs. Hemans. London.

THIS certainly is not the age in which those who speak slightly of female talent should expect to be listened to with much attention. In almost every department of literature, and in many of art and science, some one or other of our own contemporaries and countrywomen will be found, in spite of all the disadvantages of an imperfect education, occupying a respectable, at least, if not a prominent situation. And this remark, if true any where, is undoubtedly so when applied to poetry: no judicious critic will speak without respect of the tragedies of Miss Baillie, or the *Psyche* of Mrs. Tighe; and, unless we deceive ourselves greatly, the author of the poems before us requires only to be more generally known and read to have her place assigned at no great distance from that of the two distinguished individuals just mentioned. Mrs. Hemans indeed, if we may judge from her writings, is not merely a clever woman, but a woman of very general reading, and of a mind improved by reflection and study. There is another circumstance about these poems in which we cannot well be deceived, and which demands notice, the progressive and rapid improvement of them; not five years have elapsed from the appearance of the first to that of the last, and the difference of the two is very surprising; the merits of the one are little more than correct language, smooth versification, and chaste ideas; the last, written on a difficult subject, is one of the most able productions of the present day. The facility given by practice may have done much towards this; but when the improvement is principally in the richness and novelty of thought, careful study and diligent training of the reason must have borne a much larger share. If we may judge too of her, in another point, from her writings, Mrs. Hemans is a woman in whom talent and learning have not produced the ill effects so often attributed to them; her

her faculties seem to sit meekly on her, at least we can trace no ill humour or affectation, no misanthropic gloom, no querulous discontent; she is always pure in thought and expression, cheerful, affectionate, and pious. It is something at least to know, that whether the emotions she excites be always those of powerful delight or not, they will be at least harmless, and leave no sting behind: if our fancies are not always transported, our hearts at least will never be corrupted: we have not found a line which a delicate woman might blush to have written. When speaking of an English lady this ought to be no more than common praise, for delicacy of feeling has long been, and long may it be, the fair and valued boast of our countrywomen; but we have had too frequent reason of late to lament, both in female readers and writers, the display of qualities very opposite in their nature. Their tastes, at least, have not escaped the infection of that pretended liberality, but real licentiousness of thought, the plague and the fearful sign of the times. Under its influence they lose their relish for what is simple and sober, gentle or dignified, and require the stimulus of excessive or bitter passion, of sedition, of audacious profaneness. Certain we are, that the most dangerous writer of the present day finds his most numerous and most enthusiastic admirers among the fair sex; and we have many times seen very eloquent eyes kindle in vehement praise of the poems, which no woman should have read, and which it would have been far better for the world if the author had never written. This is a melancholy subject on which we have much to say at a fit opportunity, but which it would not satisfy us to treat so cursorily as our present limits would render necessary:—with Mrs. Hemans, at least, such thoughts as it suggests have no connection, and we will not, therefore, any longer detain our readers with general remarks, but give them a brief account of her several poems, with such extracts and observations as may serve to justify what we have before advanced respecting the author. The earliest on the list is a Poem on the Restoration of the Works of Art to Italy, and, as we have intimated above, is decidedly inferior to all that follow it. We do not think the subject, indeed, very happily chosen, except for a very short and spirited sketch: when treated of at so much length as by Mrs. Hemans, it was sure to lose all unity, and be broken up into a number of separate descriptions, which, even if very truly drawn and striking, when severally examined, can never form a complete whole. The versification, however, is always flowing, though the style wants clearness and compression.

The next volume, the '*Tales and Historic Scenes*,' is a collection, as the title imports, of Narrative Poems. Perhaps it was not upon consideration that Mrs. Hemans passed from a poem

of picture-drawing and reflection to the writing of tales; but if we were to prescribe to a young poet his *course* of practice, this would certainly be our advice. The luxuriãnce of a young fancy delights in description; and the quickness and inexperience of the same age, in passing judgments;—in the one richness, in the other antithesis and effect are too often more sought after than truth: the poem is written rapidly, and correctness but little attended to. But in narration more care must be taken; if the tale be fictitious, the conception and sustainment of the characters, the disposition of the facts, the relief of the soberer parts by description, reflection, or dialogue, form so many useful studies for a growing artist: if the tale be borrowed from history, a more delicate task is added to those just mentioned, in determining how far it may be necessary or safe to interweave the ornaments of fiction with the ground-work of truth, and in skilfully performing that difficult task. In both cases the mind is compelled to make a more sustained effort, and acquires thereby greater vigour, and a more practical readiness in the detail of the art.

The principal poem in this volume is the *Abencerrage*; it commemorates the capture of Granada by Ferdinand and Isabella, and attributes it in great measure to the revenge of Hamet, chief of the *Abencerrages*, who had been induced to turn his arms against his countrymen, the Moors, in order to procure the ruin of their king, the murderer of his father and brothers. During the siege he makes his way by night to the bower of Zayda his beloved, the daughter of a rival and hated family; her character is very finely drawn, and she repels with firmness all the solicitations and prayers of the traitor to his country. The following lines form part of their dialogue;—they are spirited and pathetic, but perfectly free from exaggeration.

‘ Oh wert thou still what once I fondly deem’d,
 All that thy mien express’d, thy spirit seem’d,
 My love had been devotion—till in death
 Thy name had trembled on my latest breath.
 But not the chief, who leads a lawless band
 To crush the altars of his native land;
 The apostate son of heroes, whose disgrace
 Hath stain’d the trophies of a glorious race;
 Not *him* I lov’d—but one whose youthful name
 Was pure and radiant in unsullied fame.
 Hadst thou but died ere yet dishonour’s cloud
 O’er that young name had gather’d as a shroud,
 I then had mourn’d thee proudly—and my grief
 In its own loftiness had found relief,
 A noble sorrow, cherish’d to the last,
 When every meaner woe had long been past.

Yes,

Yes, let affection weep—no common tear
 She sheds when bending o'er a hero's bier;
 Let nature mourn the dead—a grief like this,
 'To pangs that rend *my* bosom, had been bliss.'—p. 98.

The next volume in order consists principally of translations. It will give our readers some idea of Mrs. Hemans's acquaintance with books, to enumerate the authors from whom she has chosen her subjects; they are Camoens, Metastasio, Filicaja, Pastorini, Lope de Vega, Francisco Manuel, Della Casa, Cornelio Bontivoglio, Quevedo, Juan de Tarsis, Torquato and Bernardo Tasso, Petrarca, Pietro Bembo, Lorenzini, Gessner, Chaulieu, Garcilaso de Vega; names embracing almost every language in which the Muse has found a tongue in Europe. Many of these translations are very pretty, but it would be less interesting to select any of them for citation, as our readers might not be possessed of, or acquainted with the originals. We will pass on, therefore, to the latter part of the volume, which contains much that is very pleasing and beautiful. The poem which we are about to transcribe is on a subject often treated; and no wonder:—it would be hard to find another which embraces so many of the elements of poetic feeling; so soothing a mixture of pleasing melancholy and pensive hope; such an assemblage of the ideas of tender beauty, of artless playfulness, of spotless purity, of transient yet imperishable brightness, of affections wounded, but not in bitterness, of sorrows gently subdued, of eternal and undoubted happiness. We know so little of the heart of man, that when we stand by the grave of him whom we deem most excellent, the thought of death will be mingled with some awe and uncertainty; but the gracious promises of Scripture leave no doubt as to the blessedness of departed infants, and when we think what they now are, and what they might have been; what they now enjoy, and what they might have suffered; what they have now gained, and what they might have lost; we may, indeed, yearn to follow them; but we must be selfish indeed to wish them again 'constrained' to dwell in these tenements of pain and sorrow. The dirge of a child, which follows, embodies these thoughts and feelings, but in more beautiful order and language.

'No bitter tears for thee be shed,
 Blossom of being! seen and gone!
 With flowers alone we strew thy bed,
 O blest departed one!
 Whose all of life, a rosy ray,
 Blushed into dawn, and passed away.
 Yes, thou art gone, ere guilt had power
 To stain thy cherub soul and form!

Clos'd is the soft ephemeral flower
 That never felt a storm !
 The sunbeam's smile, the zephyr's breath,
 All that it knew from birth to death.
 Thou wert so like a form of light,
 That heaven benignly called thee hence,
 Ere yet the world could breathe one blight
 O'er thy sweet innocence :
 And thou that brighter home to bless
 Art passed with all thy loveliness.
 Oh hadst thou still on earth remain'd,
 Vision of beauty, fair as brief,
 How soon thy brightness had been stain'd
 With passion, or with grief !
 Now not a sullying breath can rise
 To dim thy glory in the skies.
 We rear no marble o'er thy tomb,
 No sculptured image there shall mourn,
 Ah ! fitter far the vernal bloom
 Such dwelling to adorn.
 Fragrance and flowers and dews must be
 The only emblems meet for thee.
 Thy grave shall be a blessed shrine,
 Adorn'd with nature's brightest wreath,
 Each glowing season shall combine
 Its incense there to breathe ;
 And oft upon the midnight air
 Shall viewless harps be murmuring there.
 And oh ! sometimes in visions blest,
 Sweet spirit, visit our repose,
 And bear from thine own world of rest
 Some balm for human woes.
 What form more lovely could be given
 Than thine to messenger of heaven ?—p. 61.

Had Mrs. Hemans stopped here, she might have claimed a considerable share of praise for elegant composition ; but her last two publications are works of a higher stamp—works, indeed, of which no living poet need to be ashamed. The first of them is entitled the *Sceptic*, and is devoted, as our readers will easily anticipate, to advocating the cause of religion. Undoubtedly the poem must have owed its being to the circumstances of the times, to a laudable indignation at the course which literature in many departments seemed lately to be taking in this country, and at the doctrines disseminated with industry, principally (but by no means exclusively, as has been falsely supposed,) among the lower orders. Mrs. Hemans, however, does not attempt to reason learnedly or laboriously in verse ; few poems, ostensibly philosophical,

phical, or didactic, have ever been of use, except to display the ingenuity and talent of the writers; people are not often taught a science or an art in poetry, and much less will an infidel be converted by a theological treatise in verse. But the argument of the Sceptic is one of irresistible force to confirm a wavering mind; it is simply resting the truth of religion on the necessity of it, on the utter misery and helplessness of man without it. This argument is in itself available for all the purposes of poetry; it appeals to the imagination and passions of man, it is capable of interesting all our affectionate hopes and charities, of acting upon all our natural fears. Mrs. Hemans has gone through this range with great feeling and ability, and when she comes to the mind that has clothed itself in its own strength, and relying proudly on that alone in the hour of affliction, has sunk into distraction in the contest, she rises into a strain of moral poetry not often surpassed.

' Oh what is nature's strength? the vacant eye
By mind deserted hath a dread reply,
The wild delirious laughter of despair,
The mirth of phrenzy—seek an answer there!
Turn not away, though pity's cheek grow pale,
Close not thine ear against their awful tale.
They tell thee, reason wandering from the ray
Of faith, the blazing pillar of her way,
In the mid-darkness of the stormy wave
Forsook the struggling soul she could not save.
Weep not, sad moralist, o'er desert plains
Strew'd with the wrecks of grandeur—mouldering fane
Arches of triumph, long with weeds o'ergrown—
And regal cities, now the serpent's own:
Earth has more awful ruins—one lost mind
Whose star is quench'd, hath lessons for mankind
Of deeper import, than each prostrate dome
Mingling its marble with the dust of Rome.'—p. 17.

After a few more lines to this effect, she addresses the maniac himself in a passage almost too long for citation, yet which we cannot deny ourselves the pleasure of transcribing.

' Spirit dethroned, and check'd in mid career,
Son of the morning, exiled from thy sphere,
Tell us thy tale! perchance thy race was run
With science in the chariot of the sun:
Free as the winds the path of space to sweep,
Traverse the untrodden kingdoms of the deep,
And search the laws that nature's springs controul;
There tracing all—save Him who guides the whole.
Haply thine eye its ardent glance had cast
Through the dim shades, the portals of the past;

By the bright lamp of thought thy care had fed
From the far beacon-lights of ages fled,
The depths of time exploring, to retrace
The glorious march of many a vanish'd race.

Or did thy power pervade the living lyre,
Till its deep chords became instinct with fire,
Silenced all meaner notes, and swell'd on high
Full and alone their mighty harmony,
While woke each passion from its cell profound
And nations started at th' electric sound ?
Lord of the Ascendant ! what avails it now,
Though bright the laurels wav'd upon thy brow ?
What, though thy name, through distant empires heard,
Bade the heart bound, as doth a battle-word ?
Was it for *this* thy still unwearied eye
Kept vigil with the watch-fires of the sky,
To make the secrets of all ages thine,
And commune with majestic thoughts that shine
O'er time's long shadowy pathway ? Hath thy mind
Severed its lone dominions from mankind
For *this*—to woo their homage ? Thou hast sought
All, save the wisdom with Salvation fraught—
Won every wreath, but that which will not die,
Nor aught neglected save eternity.

And did all fail thee, &c.

* * * * *

Lift the dread veil no further ! hide, oh hide
The bleeding form, the couch of suicide—
The dagger grasp'd in death—the brow, the eye
Lifeless, yet stamp'd with rage and agony ;
The soul's dark traces left in many a line
Grav'd on *his* mien who died “ and made no sign ! ”
Approach not, gaze not, lest thy fever'd brain
Too deep that image of despair retain.
Angels of slumber !—o'er the midnight hour
Let not such visions claim unhallow'd power,
Lest the mind sink with terror, and above
See but the Avenger's arm, forgot th' Atoner's love.”—p. 18.

We must venture upon one extract more. It is from a part of the poem in which the writer is supplicating for the aids which Heaven alone can bestow to sustain her at the hour of death ; and she naturally and truly asserts that that hour is most awful and distressing to unsupported nature.

————— In the pride
Of youth and health, by sufferings yet untried,
We talk of death, as something which t'were sweet
In glory's arms exultingly to meet ;
A closing triumph, a majestic scene,
Where gazing nations watch the hero's mien,

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As, undismay'd amidst the tears of all,
 He folds his mantle, regally to fall.
 Hush, fond enthusiast!—still obscure and lone,
 Yet not less terrible because unknown,
 Is the last hour of thousands—they retire
 From life's throng'd path, unnoticed to expire.
 As the light leaf, whose fall to ruin bears
 Some trembling insect's little world of cares,
 Descends in silence, while around waves on
 The mighty forest, reckless what is gone!
 Such is man's doom—and ere an hour be flown,
 Start not, thou trifler, such may be thine own!—p. 25.

The last poem is to the memory of his late Majesty: unlike courtly themes in general, this is one of the deepest, and most lasting interest. Buried as the King had long been in mental and visual darkness, and dead to the common joys of the world, his death, perhaps, did not occasion the shock, or the piercing sorrow which we have felt on some other public losses; but the heart must be cold indeed, that could, on reflection, regard the whole fortune and fate of that venerable, gallant, tender-hearted and pious man, without a more than common sympathy. There was something in his character so truly national; his very errors were of so amiable a kind, his excellencies bore so high a stamp, his nature was so genuine and unsophisticated, he stood in his splendid court amidst his large and fine family, so true a husband, so good a father, so safe an example; he so thoroughly understood the feelings, and so duly appreciated the virtues, even the uncourtly virtues of his subjects; and, with all this, the sorrows from heaven rained down upon his head in so 'pitiless and pelting a storm;'—all these—his high qualities and unparalleled sufferings form such a subject for poetry, as nothing, we should imagine, but its difficulty and the expectation attending it, would prevent from being seized upon by the greatest poets of the day. We will not say that Mrs. Hemans has filled the whole canvass as it might have been filled, but unquestionably her poem is beyond all comparison with any which we have seen on the subject; it is full of fine and pathetic passages, and it leads us up through all the dismal colourings of the fore-ground to that bright and consoling prospect, which should close every Christian's reflections on such a matter. An analysis of so short a poem is wholly unnecessary, and we have already transgressed our limits; we will, therefore, give but one extract of that soothing nature alluded to, and release our readers.

'Yet was there mercy still—if joy no more
 Within that blasted circle might intrude,
 Earth had no grief whose footstep might pass o'er
 The silent limits of its solitude!

If all unheard the bridal song awoke
 Our hearts' full echoes, as it swell'd on high ;
 Alike unheard the sudden dirge, that broke
 On the glad strain, with dread solemnity.
 If the land's rose unheeded wore its bloom,
 Alike unfelt the storm that swept it to the tomb.
 And she, who, tried thro' all the stormy past,
 Severely, deeply proved, in many an hour,
 Watch'd o'er thee, firm and faithful to the last,
 Sustain'd, inspired, by strong affection's power ;
 If to thy soul her voice no music bore,
 If thy closed eye and wandering spirit caught
 No light from looks, that fondly would explore
 Thy mien, for traces of responsive thought ;
 Oh ! thou wert spared the pang that would have thrill'd
 Thine inmost heart, when death that anxious bosom still'd.
 Thy lov'd ones fell around thee—manhood's prime,
 Youth, with its glory, in its fulness, age,
 All, at the gates of their eternal clime
 Lay down, and closed their mortal pilgrimage ;
 The land wore ashes for its perish'd flowers,
 The grave's imperial harvest. Thou, meanwhile,
 Did'st walk unconscious thro' thy royal towers,
 The one that wept not in the tearful isle !
 As a tired warrior, on his battle-plain,
 Breathes deep in dreams amidst the mourners and the slain.
 And who can tell what visions might be thine ?
 The stream of thought, though broken, still was pure !
 Still o'er that wave the stars of heaven might shine,
 Where earthly image would no more endure !
 Tho' many a step, of once familiar sound,
 Came as a stranger's o'er thy closing ear,
 And voices breathed forgotten tones around,
 Which that paternal heart once thrill'd to hear,
 The mind hath senses of its own, and powers
 To people boundless worlds, in its most wandering hours.
 Nor might the phantoms, to thy spirit known,
 Be dark or wild, creations of remorse ;
 Unstain'd by thee, the blameless past had thrown
 No fearful shadows o'er the future's course ;
 For thee no cloud, from memory's dread abyss,
 Might shape such forms as haunt the tyrant's eye ;
 And closing up each avenue of bliss,
 Murmur their summons, to " despair and die !"
 No ! e'en tho' joy depart, tho' reason cease,
 Still virtue's ruin'd home is redolent of peace.
 They might be with thee still—the loved, the tried,
 The fair, the lost, they might be with thee still !

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More softly seen, in radiance purified
 From each dim vapour of terrestrial ill;
 Long after earth received them, and the note
 Of the last requiem o'er their dust was pour'd,
 As passing sunbeams o'er thy soul might float,
 Those forms, from us withdrawn, to thee restored!
 Spirits of holiness, in light reveal'd,
 To commune with a mind whose source of tears was seal'd.'—p. 9.

It is time to close this article. Our readers will have seen, and we do not deny, that we have been much interested by our subject: who or what Mrs. Hemans is, we know not; we have been told that, like a poet of antiquity,

Tristia vitæ
 Solatur cantu—

if it be so (and the most sensible breasts are not uncommonly nor unnaturally the most bitterly wounded), she seems from the tenor of her writings to bear about her a higher and a surer balsam than the praises of men, or even the 'sacred muse' herself can impart. Still there is a pleasure, an innocent and an honest pleasure, even to a wounded spirit, in fame fairly earned; and such fame as may wait upon our decision, we freely and conscientiously bestow:—in our opinion all her poems are elegant and pure in thought and language; her later poems are of higher promise, they are vigorous, picturesque, and pathetic.

ART. VI.—1. *Narrative of the Operations and Recent Discoveries within the Pyramids, Temples, Tombs, and Excavations in Egypt and Nubia, and of a Journey to the Coast of the Red Sea, in search of the Ancient Berenice; and another to the Oasis of Jupiter Ammon.* By G. Belzoni. London. With a Portrait. 4to. pp. 503. 1820.

2. *Forty-four Coloured Plates, illustrative of the Researches and Operations of G. Belzoni, in Egypt and Nubia.* Folio.

THE name of Belzoni must be familiar to the readers of our journal. We may, indeed, take credit for having brought before the public eye whatever has appeared, (prior to the present publication,) of the important researches and discoveries made by this distinguished and meritorious individual, from information with which we were exclusively favoured from the scene of his operations. Mr. Belzoni has now, very properly, told his own story in his own way, and we may add, pretty nearly in his own words; having, as we understand, declined all literary assistance beyond that of the individual employed to copy out his manuscript and correct the press. 'As I made my discoveries alone,' he says, 'I have been anxious to write my book by myself, though in so doing the reader will

will consider me, and with great propriety, guilty of temerity; but the public will, perhaps, gain in the fidelity of my narrative what it loses in elegance. I am not an Englishman; but I prefer that my readers should receive from myself, as well as I am able to describe them, an account of my proceedings in Egypt, in Nubia, on the Coast of the Red Sea, and in the Oasis; rather than run the risk of having my meaning misrepresented by another: if I am intelligible, it is all that I can expect.' In this last respect, we may safely assure him that he has fully succeeded: he details with perspicuity, and, we have no doubt, with accuracy, all the occurrences which befel him in the prosecution of his discoveries; he describes, with great simplicity, the means he employed for effecting his various operations; the nature of the intercourse he held with the several natives with whom he was brought in contact, as well as the rooted prejudices which he had to combat, and the various difficulties created by the intrigues, the treachery, and the avarice of the Turkish chiefs; and, we regret to add, the jealousy of certain Europeans, of whose conduct he bitterly complains, and apparently not without reason: and on the whole, we may venture to say that he has produced a very instructive and entertaining volume.

Mr. Belzoni makes no pretension to classical literature or science of any kind. 'I must apologize,' he modestly says, 'for the few humble observations I have ventured to give on some historical points; but I had become so familiar with the sight of temples, tombs, and pyramids, that I could not help forming some speculation on their origin and construction. The scholar and learned traveller will smile at my presumption; but do they always agree themselves in their opinions in matters of this sort, or even on those of much less difficulty?' It is not to him, therefore, that we are to look for erudite historical disquisitions, or antiquarian elucidations; but, what is probably of more real value and importance, we may implicitly trust his pen and his pencil in what he has described and delineated. But though no scholar himself, he may justly be considered as the pioneer, and a most powerful and useful one, of antiquarian researches; he points out the road and makes it easy for others to travel over; and, we may venture to say, in elucidation of this remark, and without the most distant intention of derogating one iota from the merit of Mr. W. Banks, (whose labours, we have reason to believe, cannot be too highly appreciated,) that we owe some of the most interesting and brilliant discoveries of that gentleman (we allude to the drawings and inscriptions of the Temple of Ipsambul) to the bold and Herculean task undertaken in this instance by Belzoni, and finally accomplished by the personal exertions of himself and his fellow labourers.

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The slight sketch of the life of Mr. Belzoni (No. XXXVIII.) is, we believe, tolerably correct in the main. In this we stated the cause of his going to Egypt. He was accompanied to that country by Mrs. Belzoni, whom he had married in England, and by an Irish lad of the name of James Curtain; and reached Alexandria just as the plague was beginning to disappear from that city, as it always does on the approach of St. John's day, when, as almost every body knows, 'out of respect for the saint,' it entirely ceases. The state of the country was still very alarming, yet Mr. Belzoni and his little party ventured to land, and performed quarantine in the French quarter; where, though really very unwell, they were wise enough to disguise their situation: 'for the plague is so dreadful a scourge,' he observes, 'and operates so powerfully on human fears and human prejudices, that, during its prevalence, if a man be ill, he must be ill of the plague, and if he die, he must have died of the plague.' 'He died of the plague,' is the general cry, whatever may be the disease; and as hundreds perish daily, this is the time for getting rid of rich or troublesome relations, as all who die are carried away to be buried without distinction and without inquiry.

On arriving at Cairo, Mr. Belzoni went to the house of Mr. Baghos, interpreter to Mahommed Ali, to whom he had been recommended, and who immediately prepared to introduce him to the Pasha, that he might come to some arrangement respecting the hydraulic machine, which he proposed to construct for watering the gardens of the seraglio, and which was in fact the main object of his visit to Egypt. As they were proceeding towards the palace, through one of the principal streets of Cairo, a brutal Turk struck Mr. Belzoni so fiercely on the leg with his staff, that it tore away a large piece of flesh. The blow was so severe, and the discharge of blood so copious, that he was obliged to be conveyed home, where he remained under cure thirty days before he could support himself on the wounded leg. When able to leave the house, he was presented to the Pasha, who received him very civilly; but on being told of the misfortune which had happened to him, contented himself with coolly observing 'that such accidents could not be avoided where there were troops.'

An arrangement was immediately concluded for erecting a machine which was to raise as much water with one ox, as the ordinary ones do with four. Mr. Belzoni soon found, however, that he had many prejudices to encounter, and many obstacles to overcome, on the part of those who were employed in the construction of the work, as well as of those who owned the cattle engaged in drawing water for the Pasha's gardens. The fate of a machine which had been sent from England, taught him to augur no good for

for that which he had undertaken to construct. Though of the most costly description, and every way equal to perform what it was calculated to do, it had failed to answer the unreasonable expectations of the Turks,—because ‘the quantity of water raised by it was not sufficient to inundate the whole country in an hour! which was their measure of the power of an English water-wheel.’

When that of Belzoni was completed, the Pasha proceeded to the gardens of Soubra to witness its effect. The machine was set to work, and, although constructed of bad materials, and of unskilful workmanship, its powers were greater than had been contracted for; yet the Arabs, from interested motives, declared against it. The Pasha, however, though evidently disappointed, admitted that it was equal to four of the ordinary kind, and consequently according to the agreement. Unluckily, he took it into his head to have the oxen removed, and, ‘by way of frolic,’ to see what effect could be produced by putting fifteen men into the wheel. The Irish lad got in with them; but no sooner had the wheel begun to turn than the Arabs jumped out, leaving the lad alone in it. The wheel, relieved from its load, flew back with such velocity, that poor Curtain was flung out, and in the fall broke one of his thighs, and, being entangled in the machinery, would, in all probability, have lost his life, had not Belzoni applied all his strength to the wheel, and stopped it. The accident, however, was fatal to the project and to the future hopes of the projector. On this subject, we have the testimony of one whose testimony can never be given in vain; ‘Belzoni,’ says Mr. Burckhardt, ‘who is known in England as an hydraulic engineer, and is married to an English woman, who has accompanied him to Egypt, entered last year the service of the Pasha as a mechanic; but not being able to contend with the intrigues of a Turkish court, and too honourable to participate in them, he was dismissed as unfit for his business, and five months of pay still remain due to him.’ Mr. Burckhardt elsewhere describes Belzoni ‘as enterprising as he is intelligent, high-minded, and disinterested.’

Belzoni's residence at Soubra gave him an opportunity of seeing and learning something of the habits and character of Mahomed Ali. He is a man, he says, full of projects, always busied in something new, and perpetually in motion. Few of them, however, have hitherto answered, and one had nearly proved fatal to himself. He took it into his head to have his troops trained in the European exercise,—which produced a mutiny. This at least is the cause assigned for it by Burckhardt and Belzoni, though we suspect it was more from the arrears of pay that were due to them. Cairo on this occasion is said to have been given up to plunder for several days by the Albanian soldiers, who were at length quelled by
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the exertions of the Syrian cavalry which had remained faithful to the Pasha. The desolation and death-like silence that prevailed in this great city during the revolt, are well described by our author. Mr. Pashardt says, that the Pasha did not deem it advisable to adopt any strong measures of punishment; 'but in order to conciliate the good-will and, in case of need, the assistance of the town's-people, he reimbursed to them, out of his own pocket, the whole amount of their loss, calculated at four millions of piastres.' On this occasion many of the Franks were ill-treated, and others fired at, by the Turkish soldiers, even after the plundering of the town had ceased. What kind of discipline these troops are under in Egypt, Mr. Belzoni had but too many opportunities of seeing.

'During my stay at Soubra, a circumstance took place, which I shall remember as long as I live, and which shewed me plainly the country I was in, and the people I had to deal with. Some particular business calling me to Cairo, I was on my ass in one of the narrow streets, where I met a loaded camel. The space that remained between the camel and the wall was so little, that I could scarcely pass; and at that moment I was met by a Binbashi, a subaltern officer, at the head of his men. For the instant I was the only obstacle that prevented his proceeding on the road; and I could neither retreat nor turn round, to give him room to pass. Seeing it was a Frank who stopped his way, he gave me a violent blow on my stomach. Not being accustomed to put up with such salutations, I returned the compliment with my whip across his naked shoulders. Instantly he took his pistol out of his belt; I jumped off my ass; he retired about two yards, pulled the trigger, fired at my head, singed the hair near my right ear, and killed one of his own soldiers, who, by this time, had come behind me. Finding that he had missed his aim, he took out a second pistol; but his own soldiers assailed and disarmed him.

'A great noise arose in the street, and, as it happened to be close to the seraglio in the Esbakie, some of the guards ran up; but on seeing what the matter was, they interfered and stopped the Binbashi. I thought my company was not wanted, so I mounted my charger, and rode off. I went to Mr. Baghos, and told him what had happened. We repaired immediately to the citadel, saw the Bashaw, and related the circumstance to him. He was much concerned, and wished to know where the soldier was, but observed, that it was too late that evening to have him taken up. However, he was apprehended the next day, and I have never heard or knew any thing more about him. Such a lesson on the subject was not lost upon me; and I took good care, in future, not to give the least opportunity of the kind to men of that description, who can murder an European with as much indifference as they would kill an insect.

'Some little time after this, another circumstance took place, which I cannot omit relating. A charming young lady, about sixteen years of age, daughter of the Chevalier Bocty, now consul-general of Sweden, went out of her house, in company with her mother, sister, and some other

other ladies, to go to a bath. They formed a cavalcade on asses, as is the custom of the country; and had not proceeded far from their door when they met a soldier, a monster I should say, who took a pistol from his belt, and, with the greatest coolness, fired and killed the young lady. She was one of the most amiable creatures, both in her manners and person, that ever lived; and was most deservedly lamented by every one who knew her. This is quite enough, surely, to invite young European ladies to that country! I must say, to the honour of Mahommed Ali, that the monster was taken and executed: but what satisfaction could this be to her afflicted parents?—pp. 20, 21.

The project of the water-wheel having totally failed, Mr. Belzoni began to turn his thoughts towards Upper Egypt. In this voyage he seems at first to have had no definite object in view: but, on the suggestion of Mr. Burckhardt, and the encouragement of Mr. Salt, he readily undertook to remove the enormous bust, to which these gentlemen have given the name of the 'Younger Memnon,' from the neighbourhood of Thebes, down the Nile to Cairo. In his account of this transaction, Mr. Belzoni manifests some indignation at the statement which has gone forth, of his being employed on this task by Mr. Salt; and declares that 'he had no other idea than, that all the researches he was about to make for antiquities were for the benefit of the British Museum.' We can know nothing, of course, of what passed between him and the British Consul; but with regard to the bust of Memnon, we have always understood that it was a joint present of Messrs. Burckhardt and Salt to the Museum, and that they indemnified Mr. Belzoni for all expenses in getting it down to Alexandria, and made him besides a remuneration for his trouble. Burckhardt indeed says, in a letter now before us, 'Mr. Salt and myself have borne the expenses jointly, and the trouble of the undertaking has devolved upon Mr. Belzoni, whose name I wish to be mentioned, if ever ours shall on this occasion, because he was actuated by public spirit, fully as much as ourselves.' And, in the same letter, he says, 'although upwards of 100 fellahs were occupied for many days with our Memnon, and that we paid £100 for the boat only, and made a present to Mr. Belzoni, small indeed, but as much as our circumstances permitted, the total expense incurred by us, as far as Alexandria, does not amount to more than £300.' We regret to perceive any feeling of irritation on a matter which appears to us of no importance, and on a point too wherein the merit of our author has never been called in question. The name of Belzoni alone is coupled with the bust of Memnon in the Museum, and this, we think, ought to satisfy him. There is no discredit in the two gentlemen having employed him at their joint expense, to undertake a task which he most ably and honourably performed, and to their entire

tire satisfaction. Let him recollect, that it was by the pecuniary assistance of Mr. Salt, Mr. Briggs and some others, that Captain Caviglia was enabled to uncover the Sphynx. If there should unfortunately subsist any difference on other points respecting his researches, between him and the Consul, we sincerely regret it; being quite satisfied that both were actuated by the same zealous endeavour to promote the extension of antiquarian knowledge, and to add to the unrivalled collection of the works of ancient art in the British Museum.

We are much pleased with the handsome manner in which our author speaks of Mr. Burckhardt.

‘The first hour of my arrival (at Cairo) I had the pleasure of seeing my good and much lamented friend, Burckhardt, whose death has been a great loss to me. He was the most candid, disinterested, and sincere being I have ever met with; totally free from that invidious and selfish disposition, which is so often to be found in travellers, who wish to be alone in one quarter of the world, to relate their story agreeable to the suggestions of their own imagination to the people of another. But Burckhardt had none of that littleness of mind: he was a true explorer, and a hardy one, without pride, or the ambition to be thought more than he was.’—p. 134.

Travellers possessing little of that ardour which distinguishes Mr. Belzoni, have broke forth into raptures on their first view of the gigantic ruins of Thebes; and we have no doubt that our author is quite correct in the following account of ‘the city of the hundred Gates.’

‘On the 22d, we saw for the first time the ruins of great Thebes, and landed at Luxor. Here I beg the reader to observe, that but very imperfect ideas can be formed of the extensive ruins of Thebes, even from the accounts of the most skilful and accurate travellers. It is absolutely impossible to imagine the scene displayed, without seeing it. The most sublime ideas, that can be formed from the most magnificent specimens of our present architecture, would give a very incorrect picture of these ruins; for such is the difference, not only in magnitude, but in form, proportion, and construction, that even the pencil can convey but a faint idea of the whole. It appeared to me like entering a city of giants, who, after a long conflict, were all destroyed, leaving the ruins of their various temples as the only proofs of their former existence. The temple of Luxor presents to the traveller at once one of the most splendid groups of Egyptian grandeur. The extensive propylæon, with the two obelisks, and colossal statues in the front; the thick groups of enormous columns; the variety of apartments and the sanctuary it contains; the beautiful ornaments which adorn every part of the walls and columns, described by Mr. Hamilton; cause in the astonished traveller an oblivion of all that he has seen before. If his attention be attracted to the north side of Thebes by the towering remains, that project a great height above the wood of palm trees, he will gradually

enter that forest-like assemblage of ruins of temples, columns, obelisks, colossi, sphynxes, portals, and an endless number of other astonishing objects, that will convince him at once of the impossibility of a description. On the west side of the Nile, still the traveller finds himself among wonders. The temples of Gournou, Memnonium, and Medinet Aboo, attest the extent of the great city on this side. The unrivalled colossal figures in the plains of Thebes, the number of tombs excavated in the rocks, those in the great valley of the kings, with their paintings, sculptures, mummies, sarcophagi, figures, &c. are all objects worthy of the admiration of the traveller; who will not fail to wonder how a nation, which was once so great as to erect these stupendous edifices, could so far fall into oblivion, that even their language and writing are totally unknown to us.—pp. 37, 38.

Mr. Belzoni observes, that the water of the Nile reaches quite to the propyleon of the Memnonium; and he considers this as a proof, that the bed of the river has risen since this temple was erected. There can be no doubt of it—the beds of all rivers are gradually rising, from the constant deposit of that part of the alluvial materials brought down from the higher lands, which has been left within the banks, while these and the bordering plains have been raised in proportion. This deposit has buried many of the ruins of Egypt, and thus strengthened the proof of their great antiquity. The bust of Memnon, the immediate object of our author's research, soon caught his eye; it was lying with its face upwards, and, 'apparently smiling on me,' he says, 'at the thought of being taken to England.'

It will readily be imagined, that in a country, destitute of the arts like Egypt, and with a people, semi-barbarous like the Arabs, Belzoni had a thousand difficulties to overcome before he could succeed in moving this bust of ten or twelve tons weight one inch from its bed of sand. The chiefs eyed him with jealousy, and conceived, as usual, that he came in quest of hidden treasures; and the fellahs were with difficulty set to work, having made up their minds that it was a hopeless task. When these simple people saw it first move, they all set up a loud shout, declaring it was not their exertions, but the power of the devil, that had effected it. The enormous mass was put in motion by a few poles, and palm-leaf ropes, all the means which they could command, and which nothing but the ingenuity of our traveller could have made efficient. But these materials, poor as they were, created not half the difficulty and delay occasioned by the intrigues of the Cachefs and Kaimakans, all of whom were desirous of extorting as much money as they possibly could, and of obstructing the progress of the work, as the surest means of effecting their purpose. Even the labourers, on finding that money was given to them for removing a mere mass of stone, took it into their heads that it must be filled with gold, and

and agreed that so precious an article ought not to be taken out of the country. Under all these difficulties, Mr. Belzoni appears to have conducted himself with great patience and dexterity, and unabating perseverance.

It was eighteen days from the commencement of the operation before the colossal bust reached the banks of the Nile; but no boat was yet prepared to receive it. Belzoni therefore, by way of passing the time, engaged the Arabs to conduct him to a cavern in the mountains of Gournou, where was a sarcophagus which Drovetti, the French Consul, after a vain attempt to get it out, had presented to him. The subterranean adventure is not quite equal in horror to that told by Mr. Legh, though somewhat of the same description. The cavern was entered by our traveller, two Arabs and an interpreter.

‘ Previous to our entering the cave, we took off the greater part of our clothes, and, each having a candle, advanced through a cavity in the rock, which extended a considerable length in the mountain, sometimes pretty high, sometimes very narrow, and without any regularity. In some passages we were obliged to creep on the ground, like crocodiles. I perceived, that we were at a great distance from the entrance, and the way was so intricate, that I depended entirely on the two Arabs, to conduct us out again. At length we arrived at a large space, into which many other holes or cavities opened; and after some consideration and examination by the two Arabs, we entered one of these, which was very narrow, and continued downward for a long way, through a craggy passage, till we came where two other apertures led to the interior in a horizontal direction. One of the Arabs then said ‘ this is the place.’ I could not conceive how so large a sarcophagus, as had been described to me, could have been taken through the aperture, which the Arab now pointed out. I had no doubt, but these recesses were burial places, as we continually walked over skulls and other bones: but the sarcophagus could never have entered this recess; for it was so narrow, that on my attempt to penetrate it, I could not pass. One of the Arabs, however, succeeded, as did my interpreter; and it was agreed, that I and the other Arab should wait till they returned. They proceeded evidently to a great distance, for the light disappeared, and only a murmuring sound from their voices could be distinguished as they went on. After a few moments, I heard a loud noise, and the interpreter distinctly crying, “ *O mon Dieu ! mon Dieu ! je suis perdu !*” After which, a profound silence ensued. I asked my Arab, whether he had ever been in that place? He replied, “ Never.” I could not conceive what could have happened, and thought the best plan was to return, to procure help from the other Arabs. Accordingly, I told my man to show me the way out again; but, staring at me like an ideot, he said he did not know the road. I called repeatedly to the interpreter, but received no answer; I watched a long time, but no one returned; and my situation was no very pleasant one. I naturally re-

turned through the passages, by which we had come; and, after some time, I succeeded in reaching the place, where, as I mentioned, were many other cavities. It was a complete labyrinth, as all these places bore a great resemblance to the one which we first entered. At last seeing one, which appeared to be the right, we proceeded through it a long way; but by this time our candles had diminished considerably; and I feared, that, if we did not get out soon, we should have to remain in the dark: meantime it would have been dangerous to put one out, to save the other, lest that which was left should, by some accident, be extinguished. At this time we were considerably advanced towards the outside, as we thought; but to our sorrow we found the end of that cavity without any outlet. Convinced that we were mistaken in our conjecture, we quickly returned towards the place of the various entries, which we strove to regain. But we were then as perplexed as ever, and were both exhausted from the ascents and descents, which we had been obliged to go over. The Arab seated himself, but every moment of delay was dangerous. The only expedient was, to put a mark at the place out of which he had just come, and then examine the cavities in succession, by putting also a mark at their entrance, so as to know where we had been. Unfortunately, our candles would not last through the whole: however, we began our operations.

‘On the second attempt, when passing before a small aperture, I thought I heard the sound of something like the roaring of the sea at a distance. In consequence I entered this cavity; and as we advanced the noise increased, till I could distinctly hear a number of voices all at one time. At last, thank God, we walked out; and, to my no small surprize, the first person I saw was my interpreter. How he came to be there I could not conjecture. He told me, that, in proceeding with the Arab along the passage below, they came to a pit, which they did not see; that the Arab fell into it, and in falling put out both candles. It was then that he cried out, “*Mon Dieu! je suis perdu!*” as he thought he also should have fallen into the pit; but, on raising his head, he saw at a great distance a glimpse of daylight, towards which he advanced, and thus arrived at a small aperture. He then scraped away some loose sand and stones, to widen the place where he came out, and went to give the alarm to the Arabs, who were at the other entrance. Being all concerned for the man who fell to the bottom of the pit, it was their noise that I heard in the cave. The place by which my interpreter got out was instantly widened; and in the confusion the Arabs did not regard letting me see that they were acquainted with that entrance, and that it had lately been shut up. I was not long in detecting their scheme. The Arabs had intended to show me the sarcophagus, without letting me see the way by which it might be taken out, and then to stipulate a price for the secret. It was with this view they took me such a way round about.”—pp. 51.—54.

Mr. Belzoni now determined to proceed up the Nile, as far as the second cataract. In his progress, he visited all the ruins which occur, and appears to have paid the most minute attention to the

the decorative part of the ancient temples; but as no description can convey an adequate idea of this, we must refer our readers to the interesting and important volume of plates which accompanies this work, and which has been executed with great neatness, chiefly at the lithographic press.*

Furnished with letters to the three brothers who govern in Nubia, he passed Deir and Ibrim without molestation.

'I cannot omit,' he says, 'mentioning the hard labour the boatmen had on this occasion. They were continually in the water; and, though good swimmers, they had great trouble in wading against the current to pull the rope from under the trees, which cover the banks of the Nile in such a manner, that it is impossible to track it along on the shore. They are a people living very hardly, and eat any thing in the world. They chew the rock salt, or natron, mixed with tobacco, putting the mixture between the front teeth and the lower lip. The natron is found in several parts of Egypt, and is one of their articles of trade. The Laplanders are said to be very filthy in their food, and I am sure these people are not unlike them in that respect. When we killed a sheep, I had sometimes the pleasure of seeing the entrails opened, pieces of which, dipped once into the water, were eaten by them raw. The head and feet, with the skin, wool, hoofs, and all, were put into a pot, which is never washed, to be half-boiled, when they drank the broth and devoured the rest.'—pp. 78, 79.

It was on this voyage that he conceived the idea of uncovering the great temple of Ipsambul, first discovered and brought into notice by the lamented Burckhardt. On approaching it, however, the hope he had formed vanished at once; for the accumulation of sand was such, 'that it appeared an impossibility ever to reach the door.' The exact spot where he had fixed the entrance to be, was determined in his own mind from observing the head of a hawk, of such a monstrous size that, with the body, it could not be less than twenty feet high; this bird he concluded to be over the door-way; and as below the figure there is generally a vacant space, followed by a frieze and cornice, he calculated the upper part of the door-way to be about thirty-five feet below the summit of the sand. The strong and ardent desire to enter a sanctuary which, for so many ages, had been closed against all the world, gave, he says, a stimulus to his hopes: and having made some rough calculations as to the expense, he set out for the village of Ipsambul, to deliver his letters to the governor, and to inquire on what terms he could procure labourers for his extraordinary undertaking.

'Having desired to see Ossey Cacheff, for some time I received no answer; but at last was told, that he who sat there was Daoud Cacheff, his son. I saw a man about fifty years of age, clad in a light

* We do not remember any specimen of lithography more clear, distinct, and soft, than the portrait of Belzoni at the head of the present volume.

blue gown, with a white rag on his head as a turban, seated on a ragged mat, on the ground, a long sword and a gun by his side, with about twenty men surrounding him, who were well armed with swords, spears, and shields. A younger brother, of much inferior rank and dignity, was among them, who behaved very roughly towards me. Some had garments, others had none, and they altogether formed a ragged assembly, by no means of most encouraging aspect. These people have no other employment, than to gather the imposts of their master from the poorer sort of natives. The Cacheff himself has nothing to do but to go from one place to another to receive his revenue; and in every place to which he goes he has a house and a wife. He is absolute master to do what he pleases: there is no law to restrain him; and the life of a man here is not considered of so much worth as that of a cat among us. If he have not what he wants, he takes it wherever he can find it: if refused, he uses force; if resisted, the opponent is murdered: and thus the Cacheff lives.'—p. 81.

Mr. Belzoni found, he says, these barbarians to be unacquainted with the use of money. We confess we were rather startled at such a discovery; knowing that wherever Europeans have penetrated, the value of the Spanish dollar is fully understood; and that the three Cacheffs of Nubia are familiar with Egypt and its currency; besides, Mr. Burckhardt, who ascended by the same route to the very borders of Dongala, and, in a second journey, far beyond Dongala, among tribes much more barbarous than the Nubians, always found that the nature of money was perfectly well comprehended by them. Be this as it may, the people of Ipsambul soon became very apt scholars, and learned to measure dhourra against dollars as well as their instructors. Parting hence, he continued his voyage up the Nile, to the second cataract, which, like the first, he found to be formed by a number of granite masses, or islets, that obstruct the current. Mr. Belzoni talks of several thousands of them, with as many different falls of water 'running rapidly onward, while counter-currents return with equal velocity, exhibiting an appearance truly grand.' On one of these, about an eighth of a mile in length, he landed in the dusk of the evening.

'We saw fires and people at a distance; but when we arrived we could not find any one. Their huts were left, with all they had, which consisted only of dry dates, and a kind of paste made of the same, which they kept in large vases of clay baked in the sun, and covered with baskets made of palm-leaves. A baking stove and a mat to sleep on were the whole of their furniture. They had pots and leathern bags to bring water from the Nile for their lands. Their settlement consisted of four men and seven women, with two or three children. They have no communication with the main land, except when the water is low, for at any other time the current, being immediately under the cataract, is so rapid, as to render it impossible to ford it; and boats never go to these islands, seldom passing further than Wady Halfa.

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They are poor but happy: knowing nothing of the enticing luxuries of the world, and resting content with what Providence supplies as the reward of their industry. There are a few sheep and goats, which furnish them with milk all the year round; and the few spots of land they have are well cultivated, producing a little dhourra, which forms their yearly stock of provision. The wool they spin into yarn; wind the threads round little stones, and thus suspend them to a long stick fixed in an horizontal position between two trees, to form a warp; and by passing another thread alternately between these, fabricate a kind of coarse cloth, with which they cover the lower part of their bodies.'— pp. 87, 88.

He now returned to Ipsambul, and as he had succeeded in procuring from the Cacheff as many labourers as he could employ, he set about clearing away the sand from the front of the temple. The only condition made with the Cacheff was that all the gold and jewels found in it should belong to him, as chief of the country, and that Belzoni should have all the stones. At the end of four or five days his funds were entirely exhausted; he, therefore, after obtaining a promise from the chief that no one should molest the work in his absence, resumed his voyage down the river. At Thebes he made such observations on the valley of the Beban el Molook, or Tombs of the Kings, as afterwards enabled him to effect the most magnificent excavation that had yet been seen in Egypt; and having succeeded in embarking the bust of Memnon in safety, he set off with it for Cairo,* whence he conducted it to Alexandria, and lodged it in the Pasha's magazine: he then returned to the capital; and, accompanied by Mr. Beechy, immediately proceeded up the Nile, with the determination, if possible, to accomplish the opening of the great temple of Ipsambul. At Philæ the party was reinforced by Captains Irby and Mangles of the Royal Navy.

Having conciliated the two Cacheffs by suitable presents, Mr. Belzoni agreed to give the workmen (eighty in number,) three hundred piastres for removing the sand as low down as the entrance: at first they seemed to set about the task like men who were determined to finish the job; but at the end of the third day they all grew tired, and 'under the pretext, that the Rhamiadan was to commence on the next day, they left us,' says Mr. Belzoni, 'with the temple, the sand and the treasure, and contented themselves with keeping the three hundred piastres.' The travellers were now convinced, that, if the temple was to be opened at all, it must be by their own exertions; and, accordingly, assisted by the crew of the boat, they set to work, and, by dint of perseverance and hard

* In order to depreciate the undertaking, Count Forbin has asserted, that Mr. Belzoni was six months in getting the bust into the boat! In fact, he was no more than eighteen days in transporting it to the Nile, and a single day in embarking it.

labour, for about eighteen days, they arrived at the door-way of that temple, which Mr. Belzoni considers as 'the finest and most extensive excavation in Nubia, and one that can stand a competition with any in Egypt, except the tomb newly discovered in Beban el Molook.' As the temple of Ipsambul has, in all probability, been covered with sand two thousand years, or more, our readers will not be displeased with the description of it.'

'From what we could perceive at the first view, it was evidently a very large place; but our astonishment increased, when we found it to be one of the most magnificent of temples, enriched with beautiful intaglios, painting, colossal figures, &c. We entered at first into a large pronaos, fifty-seven feet long and fifty-two wide, supported by two rows of square pillars, in a line from the front door to the door of the sekos (See Plate 43). Each pillar has a figure, not unlike those at Medinet Aboo, finely executed, and very little injured by time. The tops of their turbans reach the ceiling, which is about thirty feet high: the pillars are five feet and a half square. Both these and the walls are covered with beautiful hieroglyphics, the style of which is somewhat superior, or at least bolder, than that of any others in Egypt, not only in workmanship, but also in the subjects. They exhibit battles, storming of castles, triumphs over the Ethiopians, sacrifices, &c. In some places is to be seen the same hero as at Medinet Aboo, but in a different posture. Some of the columns are much injured by the close and heated atmosphere, the temperature of which was so hot, that the thermometer must have risen to above a hundred and thirty degrees. The second hall is about twenty-two feet high, thirty-seven wide, and twenty-five and a half long. It contains four pillars about four feet square: and the walls of this also are covered with fine hieroglyphics in pretty good preservation. Beyond this is a shorter chamber, thirty-seven feet wide, in which is the entrance into the sanctuary. At each end of this chamber is a door, leading into smaller chambers in the same direction with the sanctuary, each eight feet by seven. The sanctuary is twenty-three feet and a half long, and twelve feet wide. It contains a pedestal in the centre, and at the end four colossal sitting figures, the heads of which are in good preservation, not having been injured by violence. On the right side of this great hall, entering into the temple, are two doors, at a short distance from each other, which lead into two long separate rooms, the first thirty-eight feet ten inches in length, and eleven feet five inches wide; the other forty-eight feet seven inches, by thirteen feet three. At the end of the first are several unfinished hieroglyphics, of which some, though merely sketched, give fine ideas of their manner of drawing. At the lateral corners of the entrance into the second chamber from the great hall is a door, each of which leads into a small chamber twenty-two feet six inches long, and ten feet wide. Each of these rooms has two doors leading into two other chambers, forty-three feet in length, and ten feet eleven inches wide. There are two benches in them, apparently to sit on. The most remarkable subjects in this temple are, 1st, a group of captive Ethiopians, in the western

western corner of the great hall: 2d, the hero killing a man with his spear, another lying slain under his feet, on the same western wall: 3d, the storming of a castle, in the western corner from the front door.'—pp. 211—213.

Such is the interior. The description of the exterior follows.

'The outside of this temple is magnificent. It is a hundred and seventeen feet wide, and eighty-six feet high; the height from the top of the cornice to the top of the door being sixty-six feet six inches, and the height of the door twenty feet. There are four enormous sitting colossi, the largest in Egypt or Nubia, except the great sphinx at the pyramids, to which they approach in the proportion of near two-thirds. From the shoulder to the elbow they measure fifteen feet six inches; the ears three feet six inches; the face seven feet; the beard five feet six inches; across the shoulders twenty-five feet four inches; their height is about fifty-one feet, not including the caps, which are about fourteen feet. There are only two of these colossi in sight, one is still buried under the sand, and the other, which is near the door, is half fallen down, and buried also. On the top of the door is a colossal figure of Osiris twenty feet high, with two colossal hieroglyphic figures, one on each side, looking towards it. On the top of the temple is a cornice with hieroglyphics, a torus and frize under it. The cornice is six feet wide, the frize is four feet. Above the cornice is a row of sitting monkeys eight feet high, and six across the shoulders. They are twenty-one in number. This temple was nearly two-thirds buried under the sand, of which we removed thirty-one feet before we came to the upper part of the door. It must have had a very fine landing-place, which is now totally buried under the sand. It is the last and largest temple excavated in the solid rock in Nubia or Egypt, except the new tomb.—p. 213, 214.

Mr. Belzoni observes that the heat on first entering this temple was so great that they could scarcely bear it, and the perspiration from their hands was so copious as to render the paper by its dripping unfit for use. On the first opening that was made by the removal of the sand, the only living object that presented itself was a toad of prodigious size. The inanimate objects within were the figures of two lions with hawks' heads, as large as life, and a small sitting human figure.

We took occasion in a former article to mention the Greek inscription found by Mr. Banks on the leg of the Colossus in front of this most magnificent excavation, and gave it as our opinion that it was the first Psammeticus, that is to say the Psammeticus who introduced the Ionians and Carians into Egypt, in honour of whom it was written. There are, however, those who contend (from the employment of the Greek Ψ) that the inscription must be of much later date. We cannot agree with them until it shall be proved that the Ionians or the Carians never used the Ψ in the place

place of $\pi\sigma$, and that Simonides, who is said to have added it to the Greek alphabet, did not himself borrow it from some of the people of Greece. But we leave Mr. Banks to elucidate this difficulty, which we have no doubt he is well able to do.

The party now returned to Thebes, where they found M. Drovetti busily employed in digging among the rocks for mummies and other reliques of antiquity, assisted by two Piedmontese, one of them a renegado who had served in the French army. As that gentleman had already played Mr. Belzoni some scurvy tricks, he determined to avoid him, and retired into the 'vale of the tombs of the kings,' being satisfied, he says, that there still remained some interesting discoveries to be made in that quarter. Three new tombs were opened by him, but in none of them did there appear any thing to prove that they had been intended for the sepulchre of the kings of Egypt. Some were only passages and staircases leading to painted rooms. In one of these was a sarcophagus of granite with two mummies in it, covered with hieroglyphics in an unfinished state, and a statue standing erect, six feet six inches high, and beautifully cut out of sycamore. There were besides many little images of wood well carved, some with the head of a lion, others of a fox, and others of a monkey. In another tomb were mummies in their cases lying flat on the ground; the bodies were covered with linen of different degrees of fineness, and, as Mr. Belzoni thinks, wrapped round them at different and distant periods of time: so careful were the ancient Egyptians in their attentions to the dead! Some of the tombs had paintings beautifully executed, others were quite plain. In one chamber were discovered two naked bodies without either wrappers or case; they were females, with hair of considerable length, and well preserved. In some of the chambers the mummies of cows, sheep, monkeys, crocodiles, bats, and other animals, were intermixed with human bodies; 'and one tomb was filled with nothing but cats, carefully folded in red and white linen, the head covered by a mask representing the cat, and made of the same linen.'

'The Egyptians were certainly well acquainted with linen manufactures to a perfection equal to our own; for, in many of their figures, we observe their garments quite transparent; and among the folding of the mummies, I observed some cloth quite as fine as our common muslin, very strong, and of an even texture. They had the art of tanning leather, with which they made shoes as well as we do, some of which I found of various shapes. They had also the art of staining the leather with various colours, as we do Morocco, and actually knew the mode of embossing on it, for I found leather with figures impressed on it, quite elevated. I think it must have been done with a hot iron while the leather was damp. They also fabricated a sort of coarse glass, with which they made beads and other ornaments.

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‘ Besides enamelling, the art of gilding was in great perfection among them, as I found several ornaments of the kind. They knew how to cast copper as well as to form it into sheets, and had a metallic composition not unlike our lead, rather softer, but of greater tenacity. It is much like the lead which we see on paper in the tea-chests from China, but much thicker. I found some pieces of it covered on both sides with a thin coat of another metal, which might be taken for silver, but I cannot believe it to be so. It certainly is a proof of the scarcity of this metal in Egypt, where, in my opinion, it was less common than gold; for it is seldom found, whereas the latter is quite common on the ornaments.’—p. 173, 174.

It seems also that sufficient proofs were procured of their skill in varnishing on baked clay, and that this art was carried to great perfection: all their colours, especially the red, blue, green, and yellow, still remain, after so many ages, as brilliant and as beautiful as when first laid on.

The inconvenience, and, we may add, the hazard of visiting these sepulchres, can only be duly appreciated by those who have made the experiment; and nothing but an extraordinary degree of enthusiasm for researches of this kind could have supported our traveller in the numerous descents which he made into the mummy pits of Egypt, and through the long narrow subterraneous passages, particularly inconvenient for a man of his size. His own account of these difficulties is extremely interesting.

‘ Of some of these tombs many persons could not withstand the suffocating air, which often causes fainting. A vast quantity of dust rises, so fine that it enters the throat and nostrils, and chokes the nose and mouth to such a degree, that it requires great power of lungs to resist it and the strong effluvia of the mummies. This is not all; the entry or passage where the bodies are is roughly cut in the rocks, and the falling of the sand from the upper part or ceiling of the passage causes it to be nearly filled up. In some places there is not more than the vacancy of a foot left which you must contrive to pass through in a creeping posture like a snail, on pointed and keen stones, that cut like glass. After getting through these passages, some of them two or three hundred yards long, you generally find a more commodious place, perhaps high enough to sit. But what a place of rest! surrounded by bodies, by heaps of mummies in all directions; which, previous to my being accustomed to the sight, impressed me with horror. The blackness of the wall, the faint light given by the candles or torches for want of air, the different objects that surrounded me, seeming to converse with each other, and the Arabs with the candles or torches in their hands, naked and covered with dust, themselves resembling living mummies, absolutely formed a scene that cannot be described. In such a situation I found myself several times, and often returned exhausted and fainting, till at last I became inured to it, and indifferent to what I suffered, except from the dust, which never failed to choke my throat and nose; and though, fortunately,

tunately, I am destitute of the sense of smelling, I could taste that the mummies were rather unpleasant to swallow. After the exertion of entering into such a place, through a passage of fifty, a hundred, three hundred, or perhaps six hundred yards, nearly overcome, I sought a resting-place, found one, and contrived to sit; but when my weight bore on the body of an Egyptian, it crushed it like a band-box. I naturally had recourse to my hands to sustain my weight, but they found no better support; so that I sunk altogether among the broken mummies, with a crash of bones, rags, and wooden cases, which raised such a dust as kept me motionless for a quarter of an hour, waiting till it subsided again. I could not remove from the place, however, without increasing it, and every step I took I crushed a mummy in some part or other. Once I was conducted from such a place to another resembling it, through a passage of about twenty feet in length, and no wider than that a body could be forced through. It was choked with mummies, and I could not pass without putting my face in contact with that of some decayed Egyptian; but as the passage inclined downwards, my own weight helped me on: however, I could not avoid being covered with bones, legs, arms, and heads rolling from above. Thus I proceeded from one cave to another, all full of mummies piled up in various ways, some standing, some lying, and some on their heads. The purpose of my researches was to rob the Egyptians of their papyri; of which I found a few hidden in their breasts, under their arms, in the space above the knees, or on the legs, and covered by the numerous folds of cloth, that envelop the mummy. The people of Gournou, who make a trade of antiquities of this sort, are very jealous of strangers, and keep them as secret as possible, deceiving travellers by pretending, that they have arrived at the end of the pits, when they are scarcely at the entrance. I could never prevail on them to conduct me into these places till this my second voyage, when I succeeded in obtaining admission into any cave where mummies were to be seen.—p. 156—158.

The tombs in the *Beban el Molook* were more capacious. The first that was opened had a staircase eight feet wide and ten feet high, at the foot of which were four mummies in their cases, flat on the ground, with their heads towards the stairs; further on were four more in the same direction; one of them had a covering thrown over it exactly like the pall on the coffins of the present day.

‘I went through the operation of examining all these mummies one by one. They were much alike in their foldings, except that which had the painted linen over it. Among the others I found one, that had new linen, apparently, put over the old rags; which proves, that the Egyptians took great care of their dead, even for many years after their decease. That which was distinguished from all the rest, I observed was dressed in finer linen, and more neatly wrapped up. It had garlands of flowers and leaves, and on the side over the heart I found a plate of the metal which I have already described, soft like lead, covered with another metal, not unlike silver leaf. It had the eyes of a cow, which so often represents *Isis*, engraved on it; and in the centre

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of the breast was another plate, with the winged globe. Both plates were nearly six inches long. On unfolding the linen, we still found it very fine, which was not the case with the other mummies; for, after three or four foldings, it was generally of a coarser kind. At last we came to the body, of which nothing was to be seen but the bones, which had assumed a yellow tint. The case was in part painted: but the linen cloth covering it fell to pieces as soon as it was touched, I believe owing to the paint that was on it, which consisted of various devices and flowers.—p. 223, 224.

Our traveller, however, considers himself amply rewarded by the discovery of a new tomb, in the Vale of the Tombs of Kings, for all the inconveniences and sufferings he underwent. 'On the 16th,' says he, 'I recommenced my excavations in the valley of Beban el Molook, and pointed out the fortunate spot which has paid me for all the trouble I took in my researches. I may call this,' he adds, 'a fortunate day, one of the best perhaps of my life; from the pleasure it afforded me of presenting to the world, a new and perfect monument of Egyptian antiquity, which can be recorded as superior to any other in point of grandeur, style and preservation,'—'appearing as if just finished on the day we entered it; and what I found in it,' he adds, 'will shew its great superiority to all others.' Certain indications had convinced him of the existence of a large and unopened sepulchre. Impressed with this idea he caused the earth to be dug away to the depth of eighteen feet, when the entrance made its appearance. The passage, however, was choked up with large stones, which were with difficulty removed. A long corridor, with a painted ceiling, led to a staircase twenty-three feet long, and nearly nine feet wide. At the bottom was a door twelve feet high; it opened into a second corridor of the same width, thirty-seven feet long, the sides and ceiling finely sculptured and painted. 'The more I saw,' he says, 'the more I was eager to see.' His progress, however, was interrupted at the end of this second corridor by a pit thirty feet deep and twelve wide. Beyond this was perceived a small aperture of about two feet square in the wall, out of which hung a rope reaching probably to the bottom of the well; another rope fastened to a beam of wood stretching across the passage on this side also hung into the well. One of these ropes was unquestionably for the purpose of descending on one side of the well and the other for that of ascending on the opposite side. Both the wood and the rope crumbled to dust on being touched.

By means of two beams Mr. Belzoni contrived to cross this pit or well, and to force a larger opening in the wall, beyond which was discovered a third corridor of the same dimensions as the two former. Those parts of the wood and rope which were on the further

ther side of this wall did not fall to dust, but were in a tolerably good state of preservation, owing, as he supposes, to the dryness of the air in these more distant apartments. The pit he thinks, was intended as a sort of reservoir to receive the wet which might drain through the ground between it and the external entrance.

The sepulchre was now found to open into a number of chambers of different dimensions, with corridors and staircases, the arrangement of which can only be understood by inspecting the plan contained in the Atlas. Of the chambers, the first was a beautiful hall, twenty-seven feet six inches by twenty-five feet ten inches, in which were four pillars each three feet square. Mr. Belzoni must describe the rest.

'At the end of this room, which I call the entrance-hall, and opposite the aperture, is a large door, from which three steps lead down into a chamber with two pillars. This is twenty-eight feet two inches by twenty-five feet six inches. The pillars are three feet ten inches square. I gave it the name of the drawing-room; for it is covered with figures, which, though only outlined, are so fine and perfect, that you would think they had been drawn only the day before. Returning into the entrance-hall, we saw on the left of the aperture a large staircase, which descended into a corridor. It is thirteen feet four inches long, seven and a half wide, and has eighteen steps. At the bottom we entered a beautiful corridor, thirty-six feet six inches by six feet eleven inches. We perceived, that the paintings became more perfect as we advanced farther into the interior. They retained their gloss, or a kind of varnish over the colours, which had a beautiful effect. The figures are painted on a white ground. At the end of this corridor we descended ten steps, which I call the small stairs, into another, seventeen feet two inches by ten feet five inches. From this we entered a small chamber, twenty feet four inches by thirteen feet eight inches, to which I gave the name of the Room of Beauties; for it is adorned with the most beautiful figures in basso relievo, like all the rest, and painted. When standing in the centre of this chamber, the traveller is surrounded by an assembly of Egyptian gods and goddesses. Proceeding further, we entered a large hall, twenty-seven feet nine inches by twenty-six feet ten inches. In this hall are two rows of square pillows, three on each side of the entrance, forming a line with the corridors. At each side of this hall is a small chamber: that on the right is ten feet five inches by eight feet eight inches: that on the left, ten feet five inches by eight feet nine inches and a half. This hall I termed the Hall of Pillars; the little room on the right, Isis' Room, as in it a large cow is painted, of which I shall give a description hereafter; that on the left, the Room of Mysteries, from the mysterious figures it exhibits. At the end of this hall we entered a large saloon, with an arched roof or ceiling, which is separated from the Hall of Pillars only by a step; so that the two may be reckoned one. The saloon is thirty-one feet ten inches by twenty-seven feet. On the right of the saloon is a small chamber

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without any thing in it, roughly cut, as if unfinished, and without painting: on the left we entered a chamber with two square pillars, twenty-five feet eight inches by twenty-two feet ten inches. This I called the Sideboard Room, as it has a projection of three feet in form of a sideboard all round, which was perhaps intended to contain the articles necessary for the funeral ceremony. The pillars are three feet four inches square; and the whole beautifully painted as the rest. At the same end of the room, and facing the Hall of Pillars we entered by a large door into another chamber with four pillars, one of which is fallen down. This chamber is forty-three feet four inches by seventeen feet six inches; the pillars three feet seven inches square. It is covered with white plaster, where the rock did not cut smoothly, but there is no painting on it. I named it the Bull's, or Apis' Room, as we found the carcase of a bull in it, embalmed with asphaltum; and also, scattered in various places, an immense quantity of small wooden figures of mummies six or eight inches long, and covered with asphaltum to preserve them. There were some other figures of fine earth baked, coloured blue, and strongly varnished. On each side of the two little rooms were some wooden statues standing erect, four feet high, with a circular hollow inside, as if to contain a roll of papyrus, which I have no doubt they did. We found likewise fragments of other statues of wood and of composition.

'But the description of what we found in the centre of the saloon, and which I have reserved till this place, merits the most particular attention, not having its equal in the world, and being such as we had no idea could exist. It is a sarcophagus of the finest oriental alabaster, nine feet five inches long, and three feet seven inches wide. Its thickness is only two inches; and it is transparent, when a light is placed inside of it. It is minutely sculptured within and without with several hundred figures, which do not exceed two inches in height, and represent, as I suppose, the whole of the funeral procession and ceremonies relating to the deceased, united with several emblems, &c. I cannot give an adequate idea of this beautiful and invaluable piece of antiquity, and can only say that nothing has been brought into Europe from Egypt that can be compared with it. The cover was not there: it had been taken out, and broken into several pieces, which we found in digging before the first entrance. The sarcophagus was over a staircase in the centre of the saloon, which communicated with a subterraneous passage, leading downwards, three hundred feet in length. At the end of this passage we found a great quantity of bats' dung, which choked it up, so that we could go no further without digging. It was nearly filled up too by the falling in of the upper part.'—pp. 234—236.

The whole of the figures and hieroglyphics in this wonderful excavation are sculptured in bas relief and painted over, except in one chamber, where the outlines only are given. Great care appears to be taken to have these accurate; as several sketches were observed on the walls in red lines, which had afterwards been traced with corrections in black; the stone was then cut away from the
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side of the chamber all round the black lines, leaving the figure raised to the height of half an-inch or more, according to its size. A coat of whitewash was then passed over it, which Mr. Belzoni says is still so beautiful and clear, 'that his best and whitest paper appeared yellowish when compared with it.' The painter came next and finished the figure in colours, which after more than 2000 years still retain all their original brilliancy. Among the numerous representations of figures in various positions, one group is singularly interesting, as describing the march of a military and triumphal procession with three different sets of prisoners, who are evidently Jews, Ethiopians, and Persians. The procession begins with four red men with white kirtles followed by a hawk-headed divinity; these are Egyptians apparently released from captivity and returning home under the protection of the national deity. Then follow four white men in striped and fringed kirtles, with black beards, and with a simple white fillet round their black hair; these are obviously Jews, and might be taken for the portraits of those, who, at this day, walk the streets of London. After them come three white men with smaller beards and curled whiskers, with double-spreading plumes on their heads, tattooed, and wearing robes or mantles spotted like the skins of wild beasts; these are Persians or Chaldeans. Lastly, come four negroes with large circular earrings, and white petticoats supported by a belt over the shoulder; these are Ethiopians.

The plates descriptive of this catacomb deserve some further notice from us. We consider them indeed of the highest importance, as they tend to elucidate, in a wonderful manner, a point of ancient history, which is the more interesting from the extraordinary coincidence of the same event related in the Sacred writings and by Herodotus.

Doctor Young, to whose indefatigable and successful researches we are mainly indebted for the illustration to which we have just aliaded, has observed, that 'the sepulchral inscriptions constitute the most considerable part of the Egyptian literature which remains; that the general tenor of them, as might be expected from the testimony of Herodotus, appears to be the identification of the deceased with Osiris, and, if a female, with Isis; and that the subject of the most usual representations seems to be the reception of this new personage by the principal deities.'

By a diligent and accurate comparison of a great number of these hieroglyphical and pictorial representations, he has succeeded in ascertaining the names of the principal deities and of several of the kings of Egypt, as well as the meaning of the epithets attached to them; and from the hieroglyphic of the name, and other corroborating

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borating circumstances, he entertains no doubt whatever that the principal figure (Plate 1.), taken from the wall of the catacomb in question, is meant for Psammis, who, according to Herodotus, was the son of Necos or Nechao. On a square tablet, suspended from the neck of this personage, is the figure of an obelisk, allusive most probably to his having erected one of those afterwards placed by Augustus in the Circus Maximus, but which now stands near the Porta del Popolo, at Rome; and which, according to Pliny, was the work of Senneserteus or Semnesyrtaeus (the Psammis of Herodotus) who reigned in Egypt when Pythagoras visited that country. The inscription Dr. Young conceives to be to this purpose—*The good God, the Giver of comfort to both the regions, the Protector of religious rites, the King Osiris Psammis, the son of Nechao, the companion of the Sun and of Osiris.*

The tutelary vulture (plate 2.) bears an inscription over each of its wings, which are both expanded; the purport of that over the left wing is—*The good God, the Giver of comfort to both regions, Psammis the brilliant and joyful, the living;* and of that over the right—*The son of the dispenser of delight, Nechao the companion of the Sun.*

In plates 3, 4, and 5, the names of Psammis appear with various epithets, sometimes in connexion with Osiris, and sometimes with Nechao, so as to leave no doubt whatever of the Catacomb being either the burying-place of Psammis, or erected by him to receive the remains of his father, Nechao.

But the three next plates (6, 7, and 8) exhibit the most remarkable feature in the embellishments of this catacomb. They contain the procession (which is mentioned above) of native Egyptians, and of captive Ethiopians, Jews, and Persians, each distinctly and characteristically marked in feature, colour and dress; an event which we shall find to accord with the history of the times: for we know from the great source of all authentic information relating to ancient history, the Bible, that Necho, the father of Psammis, carried on war against the Jews and Babylonians; and Herodotus notices his expedition against the Ethiopians; so that this procession may very naturally be considered as consisting of the three descriptions of captives made in his wars. In turning to the 35th chapter of the 2d Chronicles, we shall find this painting of the catacomb most strikingly elucidated by the following remarkable passage: 'After all this, when Josiah had prepared the temple, Necho, king of Egypt came up to fight against Charchemish, by Euphrates: and Josiah went out against him. But he sent ambassadors to him, saying, what have I to do with thee, thou king of Judah? I come not against thee this day, but against the house wherewith I have war; for God commanded me to make haste; forbear thee from meddling with God, who

who is with me, that he destroy thee not. Nevertheless Josiah would not turn his face from him, but disguised himself, that he might fight with him, and harkened not unto the words of Necho from the mouth of God, and came to fight in the valley of Megiddo. And the archers shot at King Josiah; and the king said to his servants, have me away for I am sore wounded. His servants therefore took him out of that chariot, and put him in the second chariot that he had; and they brought him to Jerusalem and he died, and was buried in one of the sepulchres of his fathers. And all Judah and Jerusalem mourned for Josiah.' And again in chap. 36. 'Then the people of the land took Jehoahaz, the son of Josiah, and made him king in his father's stead in Jerusalem. Jehoahaz was twenty and three years old when he began to reign, and he reigned three months in Jerusalem. And the King of Egypt put him down at Jerusalem, and condemned the land in an hundred talents of silver, and a talent of gold. And the King of Egypt made Eliakim his brother king over Judah and Jerusalem, and turned his name to Jehoiakim. And Necho took Jehoahaz his brother and carried him into Egypt.'

These passages prove the power and the conquests of Necho; and in turning to Herodotus we shall find a wonderful agreement with many of the particulars. 'Now Necos was the son of Psammetichus, and reigned over Egypt; it was he who began the canals, &c. and he employed himself in warlike pursuits, building galleys, both on the Mediterranean and on the Red Sea, the traces of his dock-yards still existing; and these he used when he had occasion for them. And Necos joined battle with the Syrians in Magdolum, and conquered them, and after the battle he took Cadytis a large city of Syria. And having reigned in the whole sixteen years, he died, and left the throne to his son PSAMMIS.' Cadytis is again mentioned by Herodotus in the third book, as 'belonging to the Syrians of Palestine,' and 'as a city not less than Sardes;' so that there is little doubt it meant Jerusalem, which was sometimes called *Kadesh*, or the Holy.

Enraptured at the discovery of this magnificent sepulchre, Mr. Belzoni determined not to leave Egypt until he had taken models in wax of every thing within the apartments, and fac similes of all the sculptures and paintings on the walls: this he effected by the assistance of an Italian artist of the name of Ricci, after an unremitted application of more than twelve months. Of the labour some conception may be formed when we state that the number of figures as large as life amounted to 182; and those of a smaller size, from one to three feet, to 800; and that the hieroglyphics, which were about 500, were all of them repeated four times in as many different sizes. These impressions and drawings, together with the

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ground plan of the tomb, Mr. Belzoni has brought to England, and intends, if sufficient encouragement be given to him, which we cannot doubt, to arrange the whole in their proper places, and, in short, to construct an exact model of the 'tomb of Psammethis.' The alabaster sarcophagus was brought away, with some of the images and paintings on stucco, which peeled off from the walls on the admission of damp. They are intended for the British Museum, and had long since reached Alexandria in safety.

We pass over the operations of Mr. Belzoni in bringing away one of the granite obelisks of Philæ, about 25 feet in length. 'He handles,' says Burckhardt, 'masses of this kind with as much facility as others handle pebbles; and the Egyptians who see him a giant in figure, for he is six feet and a half high, believe him to be a sorcerer.' It was the ease with which he contrived to move these large masses, that induced him to suggest the practicability of removing the fallen obelisk at Alexandria, well known to travellers as one of 'the needles of Cleopatra.' Through the medium of Mr. Briggs, whose liberality in assisting to procure works of ancient art is above all praise, the Pasha of Egypt has presented this obelisk to his Majesty; and we trust that, ere long, we shall see it erected in the centre of Waterloo Place, as an appropriate trophy, to commemorate and perpetuate the glorious struggle which humbled the pride, and defeated the projects of the French army in Egypt.

Our traveller's next operation was to open the second pyramid of Ghizeh, of which we have already given a pretty detailed account (No. XXXVII.) This we conceive to have been the most arduous and enterprising of all his undertakings. With incredible labour, and, we must say, with no small degree of fortitude, he succeeded in penetrating into the very heart of this structure. It was here, in the central chamber, that he discovered the granite sarcophagus, which contained the bones that had been deemed human, until examined in London, when they were found to be those of a cow—Mr. Belzoni, indeed, will have them to belong to an animal of the masculine gender; and is not a little indignant at 'some consequential persons,' who, he says, 'would not scruple to sacrifice a point in history rather than lose a *bon mot*;' and who 'thought themselves mighty clever in baptizing the said bones those of a cow, merely to raise a joke.' Who these consequential persons may be, we pretend not to divine; we are ready however to plead guilty to so much dulness as not to be able to discover either the *joke* or the *bon mot* which has excited our traveller's ire. In mentioning the cow, nothing more was probably intended than to designate the *genus* of the animal, without regard to the *gender*. If the allusion be meant to apply to us, we can assure him that this was our case.

Mr. Belzoni has certainly more reason to be angry with Count Forbin. This gentleman, during his month's residence in Egypt, made no discoveries, no observations, no drawings; but fled from Thebes, as we had occasion to mention on his own authority, at the appalling spectacle of an English waiting-maid in a rose-coloured spencer! Count Forbin purchased some statues from Mr. Belzoni, and was also supplied by him with a copy of the plan of the second pyramid, which he had just succeeded in opening. On the return of the Director-General of Museums, to France, instead of candidly acknowledging from whom he procured these articles together with much information on various subjects, he inserted the following paragraph in one of the journals of that country:

'On the 24th of April, Mr. Le Comte de Forbin, Director General of the Royal Museum of France, landed at the lazaretto of Marseilles. He came last from Alexandria, and his passage was very stormy. He has visited Greece, Syria, and Upper Egypt. By a happy chance, some days before his departure from Cairo, he succeeded in penetrating into the second pyramid of Ghizeh. Mr. Forbin brings the plan of that important discovery, as well as much information on the labours of Mr. Drouetti, at Carnak, and on those which Mr. Salt, the English consul, pursues with the greatest success in the valley of Beban el Malook, and in the plain of Medinet Aboo. The Museum of Paris is going to be enriched with some of the spoils of Thebes, which Mr. Forbin has collected in his travels.'—p. 254, 255.

Mr. Belzoni's observation of no hieroglyphics being found, either within or without the pyramids, or on the sides of their long corridors or passages, or on the walls of the chambers, or on the sarcophagi, strongly corroborates the opinion of those who hold that these massy fabrics were constructed antecedently to hieroglyphic, and probably to any other species of writing. Though we give little credit to the existence of that external coating of the two great pyramids, on which Abdallatif affirms he saw as much hieroglyphical writing as would cover 10,000 volumes, yet we see no reason to doubt that some kind of casing was occasionally employed. Our traveller maintains that the first or largest pyramid never had any; the second, he says, has an external coating a little way from the top, but none below; towards the base of the third, he found 'a considerable accumulation of enormous blocks of granite, which had evidently formed the coating;' a part of which (close to the base) still remained in its place. But on this subject we beg leave to refer the reader to an Article in our XXXVIIIth Number, on the 'Antiquities of Egypt.'

The blocks of stone bearing hieroglyphics and figures, which are found reversed on the walls of the contiguous mausoleums, undoubtedly prove that these last are of much more recent date than the

the dilapidated structures, from the materials of which they have been built; and probably also, that the builders were ignorant of hieroglyphics; but no evidence has yet been produced that these sculptured stones ever formed any part of the pyramids. Ages, indeed, may have passed away, generation on generation may have perished, and large and populous cities disappeared, between the building of the pyramids, and the surrounding cemeteries. Mr. Belzoni, however, appears to think that no inference can be drawn as to the antiquity of the pyramids from their having no hieroglyphics. It may be so; but we cannot help surmising that, if at the time of the erection of these extraordinary monuments, the art of writing had been known, some record of their founder or of their design, would have had its appropriate place on some part of the gigantic structure.

We consider another opinion of his entitled to more consideration,—that which assigns the position of the true Memnonium to a spot immediately behind the two Colossal statues on the plain, and between the ruined temple usually called the Memnonium, and Medinet Aboo. We never could persuade ourselves that these huge statues should have been seated on a plain, entirely insulated and unconnected with some sacred edifice. The magnificent ruins of such an edifice have actually been discovered. Close to these statues, Mr. Salt caused the ground to be excavated, when the pedestals of immense columns, worthy of the gigantic Memnon, made their appearance, together with many colossal fragments of breccia and other calcareous stone, of lion-headed statues, and every indication of the ground behind the two sitting figures having been the site of a most glorious temple. Mr. Belzoni dug near the same spot, and discovered the fragments of an immense statue, resembling in all points the great colossus of Memnon, with the same hieroglyphics on the side of its chair which are to be seen on the chair of Memnon—we mean of that colossal figure on whose leg the ancients have recorded their visits in Greek and Latin, and which none but the *savans* of the Institute ever doubted to be the real Memnon. He also discovered between the two colossal statues, and what he considers to be the portico of the ancient temple, another enormous colossus thrown down and buried, all but the back of its chair. Among the columns of the portico were found a multitude of fragments of colossal statues of granite, breccia, and plain calcareous stone, and so many remains of standing and sitting lion-headed statues of smaller dimensions, that, says he, 'I can boldly state, that these ruins appear to me to have belonged to the most magnificent temple of any on the west side of Thebes.' The want of funds, and above all, the fear of poaching on Mr. Salt's manor (for Drovetti and he, it seems, have partitioned

the whole country around Thebes between them) prevented Mr. Belzoni from prosecuting his researches in this quarter. But he strongly recommends it to the particular attention of the future antiquarian traveller, as a spot which would amply repay the labour of digging the ground.

The researches of our traveller were abruptly terminated by an attempt on his life on the part of the agents, as he supposes, of M. Drovetti; who, of course, denies it: but we cannot forbear observing that, however this gentleman may stand acquitted of abetting the renegades in his employ, in so atrocious an act, he was on the spot at the time, and instead of facilitating, appears to have done all in his power to suppress inquiry, and to obstruct the course of justice. In spite, however, of every obstruction, Mr. Belzoni's collection of antiquities is far superior to that of his rancorous and jealous rival; and would have been still more so, had he been permitted to remain longer in Egypt, with any prospect of personal safety. A conviction to the contrary hastened his departure.

Previously, however, to his quitting the country, he made two journeys not wholly devoid of interest—these we have also slightly mentioned in a former Number. The one was to the borders of the Red sea in search of the ruins of ancient Berenice, the emporium of Indian commerce with Egypt—the other to Elloah (e. Wah—the little Oasis) to examine the temple of Jupiter Ammon, supposed to have stood in that neighbourhood; and the remains of which are still extant. Mr. Beechy accompanied our traveller in the first expedition. In passing up the Nile, they witnessed one of those dreadful calamities, to which the natives of certain districts of Egypt are occasionally subject. The river, in 1818, rose three feet and a half above the highest mark left by the preceding inundation, and with such rapidity that many villages, with their inhabitants, were entirely swept away. ‘I never saw,’ says Mr. Belzoni, ‘any picture that could give a more correct idea of a deluge than the valley of the Nile in this season. The cottages, being built of earth, could not stand one instant against the current, and no sooner did the water reach them, than it levelled them with the ground. The rapid stream carried off all that was before it; men, women, children, cattle, corn; every thing was washed away in an instant, and left the place where the village stood without any thing to indicate that there had ever been a house on the spot.’ It was one vast ocean, out of which arose numerous islands and many magnificent ruins. ‘On our right,’ says Belzoni, ‘we had the high rocks and the temples of Gournou, the Memnonium, the extensive buildings of Medinet Abou, and the two Colossal statues which arose out of the water like the light houses on some of the coasts of Europe. On our left, we had the
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vast ruins of Carnak and Luxor; to the east of which, at a distance of eight miles, ran the Mokattum chain of mountains, forming the boundaries of this vast lake as it appeared from our boat.' Such, however, is the bounty of nature, that the damage in this country is speedily repaired. 'On our way down,' he observes, 'it was pleasing to see the difference of the country; all the lands that were under water before, were now not only dried up, but were already sown; the muddy villages carried off by the rapid current were all rebuilt; the fences opened; the fellahs at work in the fields, and all wore a different aspect:' yet, it was then only fifteen days since the waters had subsided.

No desert can be more dreary, and no people more wretched, than those which present themselves between the upper part of the Nile and the Red Sea. The Abaddé Arabs, who rove these wilds with their few sheep and camels, as miserable as themselves, are described 'as badly made, of small stature, and nearly naked'—their long hair was so entangled as to defy the teeth of a comb—lumps of fat were therefore put into it and left to be melted by the sun. In spite of all this, however, they had still, as Johnson says, *a conceit in their misery*, and refused with equal pride and scorn to form any alliance with the Turks.

Not satisfied by any means with the discovery of the miners' huts, which are about to be described by Mons. Cail- laud, (with plans, sections, and elevations) as the remains of the ancient Berenice, the party proceeded to the coast of the Red Sea, and directing their course to the southward, fell, all at once, among those kinds of heaps which point out the remains of ancient towns in Egypt. In this broken surface were the walls of a temple, about a hundred feet in length by forty in width. They were adorned with hieroglyphics, and with sculptures in bas relief, and very well executed, of figures two feet in length. The site of the town, as well as they could trace the outlines, occupied a space of about 2000 square feet; and, from the general size of the buildings, whose walls yet remained, might have contained about two thousand houses. The neighbouring rocks were much excavated, and had apparently been used as burying places. The plain on which the ruins stood was extensive, and capable of cultivation; and the communication with the sea was by an easy slope. Here, too, was a good harbour for small vessels. The position agreed so nearly with that assigned by D'Anville

for the ancient Berenice, that our travellers had little doubt of having discovered the remains of this once flourishing emporium. They were confirmed in this opinion by tracing afterwards several ruins of what might have been the stations of the caravans, in their passage to and from Coptos.

In our notice of Mr. Belzoni's journey into the El Wah, we must be very brief; indeed we have already mentioned the only two points of any interest in this quarter, the ruins of the temple of Jupiter Ammon, and the fountain of the Sun, both of which he conceives he found in this Oasis:—so very jealous, however, were the natives, that he was only allowed to approach the temple within a certain distance, and consequently was unable to examine any part of it. The source of the fountain of the Sun he was permitted to visit. It is an overflowing well about eight feet square at the top, and above sixty deep, (how he ascertained this we are not told;) it is situated not far from the temple, in the centre of a beautiful wood of palms and other trees. Mr. Belzoni tells us, that he visited this well at noon, evening, midnight, and morning. He had no thermometer; but he supposes a proportionate scale of the temperature of the water, or rather of his feelings, at the several periods of the day; thus, he says, 'if we were to suppose the water to have been at 60° in the evening, it might be at 100° at midnight, and in the morning at about 80° ; but when I returned at noon, it appeared quite cold, and might be calculated, in proportion to the other, at 40° .' We are not satisfied with these vague calculations, and if the apparent change in the temperature be occasioned by the mere change in that of the atmosphere, while the water of this deep and shaded well remains the same, as we suggested in a former article, Mr. Belzoni's scale exhibits, we are quite certain, far too violent changes. If the account of this fountain, as given by Herodotus, were correct, the explanation of the change of temperature, by the different action of the air and water on the human body, would not hold good, for he makes it cold both at noon and midnight: but Herodotus was never in the Oasis himself; and having nothing to guide his judgment in recording this supposed miracle, might easily have misunderstood his informer.

In taking leave of this work, it is but justice to Mr. Belzoni to observe, that we have limited our notices to a few only of the more important parts of his operations and discoveries; and purposely

posely avoided entering upon any detailed account of his intercourse and adventures with the various natives of Egypt, Nubia, and Lybia, and of the manners, characters, and condition of those tribes with whom he had to deal. These are subjects, however, which will be found both amusing and interesting to the general reader.

ART. VII.—*An Inquiry into certain Errors relative to Insanity; and their Consequences, physical, moral and civil.* By George Man Burrows, M.D. F.L.S. 8vo. pp. 320. London.

WE have more than once intimated our design to abstain from discussing topics purely professional, under the feeling that they can only be interesting to a comparatively small number of our readers; and are therefore more properly the province of journals exclusively devoted to technical science. The subject now before us, however, is one of very general concern; for it is of the highest moment that 'the physical, moral and civil' consequences of errors relative to mental sickness be made matter of public canvas and scrutiny. In the course of the investigation, on which we are about to enter, it will indeed be seen that much good has already been effected by inquiries directed to these important points, and that the foundation has been laid, upon which hopes may be built of still more extended improvement.

'Of the various spectacles of misery which the great drama of life continually presents, that of madness excites the most painful combination of feelings;' and one reason of the especial horror with which mental alienation is contemplated, may be its want of obvious source in the physical organization. Delirium, as a consequence of fever, is a temporary mania, and the manifestations of this disordered condition are sometimes exceedingly painful to the beholder; but in this case there seems to be something to which the hallucination can be referred; and we expect its disappearance with the cessation of its exciting cause. But genuine madness—that is, madness not dependent upon any bodily change which immediately meets the eye—we are naturally disposed to consider essentially different from mere physical derangement, and therefore to put a kind of metaphysical or moral construction upon the whole series of melancholy concatenations by which it is characterized.

Another distressing source of perplexity connected with the contemplation of maniacal wanderings is constituted by the difficulty often experienced in drawing the line of demarcation between voluntary or responsible, and involuntary or insane acts; 'in ascertaining how much appears to arise from actual disease, and what part should be attributed to passions associated with,
but

but not dependent upon, the morbid affection.* In a former article we endeavoured to prove false perception to be the great key stone of the insane state, but admitted the difficulty of predicating the precise point at which correct perception ceases and invincible impulse commences—or of knowing what to set down to the score of mere temper and passion, and what to place to the account of positive or diseased obliquity of the understanding and will.

That much error therefore should have entwined itself with speculations on the essence of insanity cannot excite surprise, and in the early periods of philosophizing, it was to be expected that this, one of the most awful of divine dispensations, should have been felt and considered as something not only beyond the reach of physical explication, but altogether out of the compass of physical agency. We find, in fact, that more or less of this feeling influenced the ancients in their notions of all complaints which directly implicate the sentient part of the frame: hence the term *εμβροντητος* was applied even to apoplectics—a term which supposes particular and supernatural instrumentality.

Modern science has done much towards correcting these superstitious notions. We do not, indeed, in the present day, even deem those reasonings sound which take into their account the designs of nature in order to solve the problem of diseased production; and when Cullen talks of the *vires medicatrices*, and John Hunter expatiates on the 'life of the blood' and 'the stimulus of necessity,' we venture to smile at the attempts of these great authorities to substitute nominal for real essences, and clothe the principia of science in the garb of poetry.

But in canvassing the peculiarities of physico-mental manifestations, there is some danger of running into opposite extremes; and the speculations of several recent writers on the laws of animal and intellectual being, afford palpable evidence of a misapplication of physical reasoning; for while organic conditions have been too much lost sight of by those who, from mistaking the very object of their inquiries, have confounded the ideas of final and efficient causes; other speculators (and they are but the followers of ancient sceptics) have fallen into the equally absurd and dangerous error of conferring an inherent and unlimited power upon organic construction; and, by placing out of their account of causation every thing beyond the material fabric, of reducing the soul of man to a kind of *tertium quid*, a principle of combination resulting from the juxtaposition of attracting particles. This philosophy, indeed, would extend to the demolition of all the

* Haslam.

land-marks which stand between virtue and vice, and teach us to regard crime and disease as different only in name; it would call upon us to commiserate moral ill precisely as we do mental alienation, since criminality in all its extent resolves itself into organic necessity, and the hand of the assassin is urged by the same impulse as that which directs the wild beast of the forest in springing upon its prey, or the foaming cataract in rushing down the mountain-steep!

This mode of transferring physical into moral considerations is *primâ facie* so absurd, so incompatible with every idea of responsibility in man, and has in truth been so often refuted, that we can only be excused for adverting to it in this place, from a consciousness of the tendency just hinted at to extremes, and from an apprehension that, while discarding the subtleties of the schoolmen, on the subject of disordered intellect, we may insensibly slide into something worse, both in itself and its influence upon our minds, than even bad metaphysics. To say that insanity is a bodily disease, is not to admit an iota in favour of the materialist's creed; it is in fact the very reverse, since the assumption proceeds upon the principle that, prior to this disordered state of the organization, through the medium of which the disease has been introduced, and by which volition has been suspended, the individual who is the subject of the visitation had the power to accept or to refuse—a position which the consistent organist must absolutely deny.

There is another error likely to result from too powerful a reaction against the superstitious dogmata of the ancients, and the unmeaning abstractions of the schools. Having arrived at the legitimate conclusion, that insanity is a corporeal malady, we are disposed to carry this conclusion to an illegitimate extent, and imagine, because it is corporeal, it is, therefore, in all instances easily cognizable as to its actual essence and locality; thus we find it assumed in some modern works of credit, that madness, however multifarious in its shapes, and diversified in its colours, is, in effect, nothing more nor less than common inflammation of the brain, and therefore invariably to be encountered by those measures which are judged successful in combating other affections arising from vascular impetus; a principle—the injurious consequences of which, when carried into practice, we have ourselves actually witnessed.

Upon the whole, then, we would conclude, that he is the most competent to appreciate the nature and peculiarities of insanity, and the best qualified to attempt its dislodgement from the bodily organization, who, fully assured that more or less of physical disorder must necessarily have place in mental hallucination, is at the same

same time aware of the difference between mere bodily disease, and disease of the understanding, and who is not himself so organically mad as to deny the subordination of matter to mental impulse and motive.

But it is time to attend to the author, whose treatise has been the immediate cause of our suggestions.

That Dr. Burrows estimates duly the limits by which those researches must ever be bounded which involve the connexion between organization and intellect, we have great pleasure in offering the following quotation as evidence.

'None dispute that the brain is the seat of the understanding. The structure of this grand organ has been minutely dissected, in order to discover the specific instrument of each intellectual function, by the synthetical operation of which that effect is produced which we call mind. But notwithstanding the industry and research exercised, or the pretensions lately advanced, the futility of every attempt is no less exemplified than the presumption to explain that attribute which the CREATOR, in his inscrutable wisdom, has conferred on him alone whom he made after his OWN image.

'The persuasion that the integrity of the brainular mass was essential to the manifestation of the mental faculties was long a favourite theorem; but like other errors has yielded to observation. *For there is no part within the cranium supposed to exercise an intellectual function, that has not been lacerated or even destroyed, and yet the understanding has remained clear and undisturbed.*

In reference also to the question respecting the connexion of mental aberration with bodily ailment, he introduces the following remarks, the spirit and tenour of which we fully approve.

'No impression, perhaps, has been more detrimental than the scholastic dogma, that the mind, being independent of the body, can simulate all its functions and actions; can sicken, be administered to, recover and relapse; and that consequently all but moral remedies must be secondary, if not nearly useless, every other being incompatible with an immaterial essence like mind.

'To discuss the validity of this or that hypothesis would be plunging into an inextricable labyrinth, and is quite foreign to my present purpose. But we may hazard the predicate, *that he who relies singly on moral means will be as surely disappointed as he who resorts to the art of medicine only for the cure of insanity.*

The leading opinions to which Dr. Burrows summons the attention of the public, are these: '1st, Insanity is conceived so very difficult of cure, that few afflicted with it recover; 2dly, It is thought to be an increasing evil; and, 3dly, It is supposed a very prevalent malady;' and to prove that these opinions have no foundation in fact, but have originated in erroneous views of the disorder,

order, is the main motive by which he professes to have been instigated in drawing up the treatise before us.

It is an extraordinary and lamentable fact, that no writer on insanity, prior to Dr. Burrows, has favoured the public with a statement of the relative proportion of cures to the cases which have come under his immediate cognizance and treatment. This omission is the more to be regretted, since the reports from public and eleemosynary institutions cannot fail, from several causes, to be widely different from those of a private nature. To remedy this defect, Dr. Burrows calls upon all who give particular attention to mental maladies, to register and report in future their cases and cures; and he presents the following synoptic view of his own experience.

Aggregate of cases.	Aggregate of cures.	Recent cases.		Old Cases.		Dead.	Remain.	Event unknown.
		Cases.	Cures.	Cases.	Cures.			
296	246	242	221	54	19	22	26	8

‘This offers a proportion of cures on the aggregate of all cases of 81 in 100; on recent cases of 91 in 100; and on old cases of 35 in 100.’ A proportion, (particularly that of the cures in recent cases,) we venture to affirm, far different from that which the majority of our readers have supposed to obtain as the result of any practice however prompt and judicious. This statement must for the present stand upon the credit of a single individual; but when he has given prior evidence of respectability, and moreover invites investigation, and solicits comparative trials, the scepticism which refuses to listen to his statement, on the ground that it opposes preconceived opinion, must be deemed unjustifiably capacious.*

The late Dr. Willis, in his evidence before a Committee of Parliament, in 1789, averred that *nine* out of *ten* cases of insanity recovered, if placed under his care *within three months from the attack*—an assertion which was discredited generally at the time it was made, both by physicians and the public: but Dr. Burrows’s table, allowing its correctness, fully justifies the allegation as far as the remediable nature of the malady is involved; and we are happily furnished with evidence which will prove to some still more corroborative of Dr. Willis’s position; for it appears that in *La Salpêtrière*, at Paris, one of the best conducted

* At the end of the present article will be found ‘A Comparative View of the Cures of Insane Cases, in different Institutions for Lunatics.’ This is an exceedingly curious and interesting document, and we should be wanting in a due appreciation of the author’s industry did we neglect to point it out, as deserving every praise.

lunatic institutions in Europe, 'the proportion of cures of recent cases, exclusive of the fatuous, idiotic, and epileptic, was in 1806 and 1807, according to Dr. Carter, almost as high as that of Dr. Willis;' and even in other public institutions, in which the remedies have been applied early, the success has not been much under this average.

In an Article on 'insanity and mad houses,' given about three years since in this journal, some of our readers may recollect to have found the economy and general regulations of an asylum at York spoken of with much approbation. The institution alluded to is named the Retreat; it is conducted by an individual of the Society of Friends, and is devoted, we believe, exclusively to insane persons belonging to that body. Now it is a remarkable fact, that in spite of the most judicious and humane treatment on the part of the superintendents of this establishment, the number of patients restored to their senses and society is greatly inferior, not only to the proportions stated above, but even to that of several other institutions in which there is confessedly still much room for improvement, with regard both to moral and medical management. How is this to be accounted for? Dr. Burrows presents the following solution of the difficulty, and from a happy combination of compliment and censure upon the conductors of the Retreat, deduces an inference, as he conceives, with the force almost of demonstrative evidence, in favour of medical treatment in cases of mental disease.

'The York Retreat (says Dr. Burrows) excels every other asylum for lunatics in moral qualities. But in the number of absolute cures it is not on a par either with the London or Paris hospitals, and in this respect has much about the same relation to the cures in the former, as Charenton has to those in the latter; and possibly for a similar reason, viz. that physical remedies are too lightly regarded, and therefore too little employed. In the Retreat, it is true, patients are admitted who are excluded from Bethlem and St. Lukes; therefore the proportions of cures ought to be greatly in favour of those hospitals. But if the number cured in the Retreat be compared with that in the Newcastle asylum, which receives the same description of cases, and where medical means are more fully tried, the ratio of success will be seen to be inferior in the former. Having the fullest conviction of the great efficacy of medicine in the majority of cases of insanity, I have ever viewed with regret the little confidence professed by the benevolent conductors of the Retreat in its powers; and have always considered that the exercise of a more energetic remedial plan of treatment was the only thing required to render the system they pursue perfect.'

Should the manager of the institution to which we now advert, be induced, from the suggestions of Dr. Burrows and others, to make the required alteration in his plan, and the result favourable, there could then exist no reasonable doubt that Mr.

Tuke

Tuke has not hitherto duly appreciated the efficacy of medicine : as the matter now stands, it must be admitted that the circumstances of individuals received into his and other asylums, may not be sufficiently similar to warrant these comparative inferences. A census made of the proportion of Quakers who are the victims of mental malady to the numbers of their whole body, would, we believe, prove that these awful visitations are with them much less frequent than with society at large ; and it is exceedingly probable that when madness does occur among individuals, marked as these are by steadiness of character and sobriety of habit, it is more frequently the result of constitutional bias, and therefore less likely to be beneficially influenced by remedial agents. We remark too (without meaning to convey any thing like a reflection on other reports), that Mr. Tuke must be expected to be more than ordinarily careful not to declare patients cured till he believes them actually and *permanently* restored.*

It

* We are apprehensive that reports of cures both in cases of mental, and more positively physical complaints, are often made too precipitately, and that relapse or death in a short time gives the lie to announcements of radical recovery. It ought indeed further to be stated, in justice both to Mr. Tuke and Dr. Burrows, that in the copy of the work which is in our hands a manuscript note is inserted, stating that ' the proportion of cures to total of cases in the Retreat up to 1811 was 36 in 100,' and in a subsequent part of the volume is found likewise the following Postscript.

' From delay in replying to my inquiries, for which Mr. Samuel Tuke most obligingly and satisfactorily accounts, I was not enabled to avail myself of the information he has since favoured me with (dated April the 4th) at the proper place, in the text. It was in time, however, to insert the results in the Comparative table, No. 1.

' Mr. Tuke being also engaged in an inquiry, connected with those points on which I solicited intelligence, preparatory to a second edition of his interesting ' Description of the Retreat,' has furnished me with the following statement, which I deem too valuable to be omitted. How fully it corroborates many of my observations and inferences, cannot escape notice.

TABLE VIII.

A STATEMENT of the CASES admitted into the RETREAT ; exhibiting the RATIO of CURES from its opening in 1796, to the end of 1819.

Total of Admissions—253.

47 Cases not exceeding three months duration and first attack ; of which are—	45 Cases not exceeding twelve months duration, and first attack ; of which are—	34 Cases not exceeding twelve months duration, but not the first at- tack ; of which are—	43 Cases not exceeding two years du- ration, and first attack ; of which are—	79 Cases of more than two years duration ; of which are—
Dead..... 5	Dead..... 7	Dead..... 3	Dead..... 11	Dead..... 27
Remaining.. 2	Remaining.. 8	Remaining 6	Remaining 14	Remaining... 28
Recovered.. 40	Discharged much im- proved.... 5	Discharged improved... 4	Discharged improved... 9	Discharged im- proved..... 8
	Recovered 25	Recovered 21	Not suitable objects..... 2	Not suitable ob- jects..... 2
			Recovered 12	Recovered..... 14
Totals..... 47	45	34	48	79

N.B. Of

It should be observed, that both Dr. Willis and our author lay the utmost stress upon the probability of success, in the ratio given above, depending on *early* medicinal applications, and we deem it our duty to point out this fact to the particular attention of the reader, convinced as we are that 'the insidious approaches of mental derangement are too often suffered to proceed, till some terrible exacerbation of delirious fury or despondency ensues; and a malady is thus confirmed in one whom we most value, and whose intellects very probably might have been preserved, had timely aid been administered.'

Upon the whole we may remark, that although our author is perhaps somewhat too sanguine, when he infers that recoveries from insanity would exceed those from corporeal diseases, were the same chances of cure given in both cases; yet we feel no hesitation in allowing, that his statements and reasonings, on the momentous question of the remediable nature of mental sickness, have produced in our minds something at least approaching to conviction, that we had, with others, indulged too much doubt on this score; at any rate, we regard it as imperative on the part of those who undertake the management of the insane, either to confirm the rectitude, or prove the fallacy of Dr. Burrows's assumptions and conclusions, by a series of attentive and systematic investigations, directed especially to the elucidation of these most essential points. We may add, also, that Dr. Burrows, on his part, is called upon to exhibit the details of those plans and practices which he reports to have been so eminently successful; and we feel assured that his notions are too correct and honourable to permit his entertaining for a moment the desire of concealment.

The next question which our author discusses (and on which he maintains that much error likewise prevails), is, whether madness be on the increase? Insanity being an evil almost confined to the social state, it would seem a very natural supposition, that with the progress of refinement and the multiplication of artificial excipients, mental derangement and disease would increase in an equal proportion; and to a certain extent this is indisputably the case: but that up to the present period there has been a regular increase of those disorders, is probably one among the many notions which we receive as axiomatic truths, without having duly examined the data upon which they are founded. We recollect some time since receiving much gratification from a little work of

N. B. * Of the five deaths in the most recent class, three took place so soon after admission, as not to allow the experiment of curative means: one indeed was, at the time of admission, in the delirium of fever, and died within three days. The other two were in an almost hopeless state of health at the time of admission. Such cases ought almost to be excluded in estimating the probability of recovery from *Insanity*. S. T.

the late Dr. Adams, on the subject of hereditary distempers, in which the apprehension of perpetuating diseases by a general admixture of society is combated with a good deal of force and effect. This admixture, Dr. Adams maintains, so far from having the influence which is usually ascribed to it, produces the very reverse effect, and ultimately becomes a cause of the extinction, instead of an increase of the evil. If this view be correct, one imaginary source of the regular increase of mental disorder may be fairly placed out of the general calculation; and we may add, as an incidental remark, that public feeling need not be so anxiously alive to the hereditary perpetuation of particular disorders, as we find for the most part to be the case. 'May we not trace (he says) a provision against that deterioration of the race which the great apprehension of hereditary maladies supposes, in that revealed law by which any sexual intercourse between near relations is forbidden? This prohibition, as far as we can judge, proves sufficient to prevent the too great influence of such an hereditary cause, since *the number of maniacs does not increase in proportion to our increased population, and the great exciting causes of madness, namely, increased wealth, and other sources of ambition.*' Seeing, then, how little is left in so important a concern to the operation of human institutions, have we not reason to be satisfied with the provisions of nature, and with the divine commands? Yet in the most serious of all hereditary peculiarities, the great susceptibility to madness, celibacy has been recommended as a duty. Before we venture to propose measures contrary to one of the first impulses of nature, and to the first blessing which the Almighty fiat bestowed on man, it becomes us seriously to weigh the consequences. These restrictions, Dr. Adams goes on to maintain, are not only unnecessary, but inefficient; for the first appearance of the several maladies deemed hereditary, must, unquestionably, in all cases, have been independent of parental communication; and we see these maladies every day occurring without being able to trace them back to progenitors, unless we proceed too far, even for the most credulous on the subject of lineal descent. It is only where the principle of seclusion is acted on, that Dr. Adams conceives the perpetuation in question is effected. 'Goitre and cretinism (he says) are endemical in certain places, from no other causes than hereditary propensity commencing in certain individuals, and continued by sequestration, and constant intermarriages,' implying, that had the first sufferers from this complaint not been expelled from society, but suffered to marry such as were free from it, the disease would in no long time have vanished. The idiocy attendant upon the complaint, he traces to the same cause, since, (as he pointedly observes,) the unhappy sufferers

sufferers have been deprived, by this expulsion, of the advantages of progressive civilization, and have thus become cretins. Dr. Adams presses this argument, which is a favourite with him, somewhat too far, in our opinion; but whether we allow that the circumstances of cretinism, (which have never yet been fully explained,) make any thing for or against his principles on the propagation and perpetuation of disease, we fully agree with him that the restrictions against union, on the score of hereditary complaints, have been in many instances unnecessarily severe. Were *madness*, gout, scrophula, as absolutely hereditary as has been supposed, the world by this time must have presented nothing but one vast lunatic asylum or universal lazaret house.

That a *disposition* to disease is communicated from parents to progeny can only be denied by a determined spirit of opposition to fact; but this very disposition may be often turned to good account, by occasioning more caution in respect of exciting causes: and here we may slightly observe on the power of art in conquering those evils which are themselves the produce of art. It has been suggested that 'if the development of intellect had not kept pace with structural complexity and consequent increase of physical excitability which are the results of social refinement, and had not this development of intellect furnished a principle of counteraction proportioned to the increase of danger, man instead of commanding upon the face of the earth, would have been the first species in the order of nature to disappear from its surface.' This assumption partakes too much of the organic creed, and is one either of system or enthusiasm; but in a certain sense we believe it to contain the ingredients of truth: for although there is an increase of susceptibility to external impression in proportion to the progress and development of intellect, the very source of the evil manifestly becomes a remedy for it, and thus the indefinite progress of both moral and physical disorder is providentially provided against.

But why, it will be said, adduce arguments, and seek for principles, in order to determine a question which is palpably one of fact? Does it, or does it not, appear, by a comparative examination of records, whether instances of insanity are more numerous now than they were formerly? There is however no datum extant by which the relative proportion of lunatics of the present with past periods may be satisfactorily estimated; for the London Bills of mortality are so proverbially deficient, both in science and accuracy, as to defy the deduction of any correct inference from their statements. Here we must permit Dr. Burrows to speak for himself.

'Finding,' he says, 'no decisive evidence on the important point, whether insanity is actually on the increase, and being anxious to throw all possible

possible light upon it, I obtained the number of pauper lunatics annually applying to the parish of St. Mary-le-bone. The population of this parish is equal to that of most cities (above 80,000); and is most rapidly augmenting; and as this district constitutes an integral part of this great metropolis, it naturally participates in all its vices, and consequent incentives to mental derangement. As the absolute number of admissions may be relied upon, and as the returns are open to none of the objections to the Commissioners' register, I conceive this account to be of much weight. It certainly is the best extant upon the subject under consideration. I have therefore copied and annexed it.

Account of the number of PAUPER LUNATICS of the parish of St. Mary-le-bone, London, from 1804 to 1819.

	Total.	Admissions.	Men.	Women.
1804	42	19	6	13
1805	46	12	3	9
1806	43	12	7	5
1807	38	10	1	9
1808	50	22	10	12
1809	49	24	12	12
1810	50	30	11	19
1811	45	25	12	13
1812	49	22	6	16
1813	51	28	12	16
1814	47	22	9	13
1815	45	18	8	10
1816	47	17	7	10
1817	49	21	10	11
1818	53	16	4	12
1819	49			
		298	118	180

The number of lunatics admitted shews, that no increase of insanity has taken place in this parish since 1808. It was then doubled; this fact however does not imply an increase of the malady; but simply and further confirms my conclusion, that the great increase of entries in the Commissioners' register (a document before referred to) which is nearly contemporaneous with that in the St. Mary-le-bone, was derived from the operation of Mr. Wynne's act, with the passing of which the increase was synchronous.* Although it be not obligatory to make returns of pauper lunatics, yet in the London district, it is common; for all such patients in the licensed houses are very properly and humanely constant objects of the visiting Commissioners' notice, and largely contribute to the entries in their record. Further, there is another coincidence; the number of entries in both registers declined after the year 1813. Were we seeking for proof of the decrease, instead of the non-increase of insanity, a more appropriate one could not have presented than the fore-

* The immediate effect of this act was an increase in the number of registered lunatics.—Rev.

going return. For when the scale of the annual admission of lunatics is compared with that of the immensely increased population of Mary-le-bone parish, and the still greater of increased pauperism within the last sixteen years, a very opposite result might have been justly anticipated. This return of lunatics, although having relation to a considerable population, yet, I admit, is too local and limited to be decisive either of the general increment or decrement of mental derangement. But the unprejudiced must concede, that it forcibly corroborates the justness of the inferences I have deduced.

The late Dr. Willan conceived, that there were not sufficient grounds for the opinion prevailing in 1800 that insanity was increasing.* He computed, that in Bethlem and St. Luke's, and the twenty five licensed houses within the London district, there were then two thousand lunatics. Since, the licensed houses have augmented to thirty. Yet notwithstanding the increase of receptacles, we have the authentic evidence of the parliamentary returns, that in all the hospitals and houses within that circle there were in May 1819, but 2005 lunatics, being an increase of only five in the space of twenty years; though the population has augmented some hundreds of thousands! Dr. Bateman, who follows the track of Dr. Willan, seems to have contented himself with adopting all his predecessor's data on this interesting subject, without adding any new fact or observation; though the parliamentary reports of 1815 and 1816, offered abundant information. He, however, concludes, that insanity has not increased within the last half century.† Dr. Heberden, whose authority is always to be respected, seems to entertain the same opinion.‡ Such concurrent testimony surely amounts almost to demonstration.

In apparent contradiction to these statements and opinions, the recent increase of deaths from lunacy in the London bills, and the addition of the Commissioners' register for the few last years may be adduced; but Dr. Burrows contends, that in neither case is an actual increase thereby indicated, since the powerful interest which the subject of mental derangement has lately excited, compels a performance of duties before neglected; and in this way may be easily explained the augmentation both in the register of admissions and deaths; and he concludes the section of his book devoted to the inquiry under consideration in the following terms.

'Whether the question respecting the increase of insanity in England, be judged by the aggregate entries in the Commissioners' register; the account of the lunatics, received by St. Mary-le-bone parish; the records of English lunatic asylums; a comparison of the number at present in the London district with the computation in 1800; with the deaths of lunatics entered in the London bills of mortality; or even with the progress of the population; the more clear is the demonstration that it is not an increasing malady.'

* Reports on the diseases of London, p. 326. By Robert Willan, M. D. 1801.

† Reports on the diseases of London pp. 24, 25. By Thomas Bateman, M. D. 1819.

‡ Observations on the increase and decrease of different diseases. By W. Heberden.

The above calculations and deductions apply, it will be seen, exclusively to our own country; but in corroboration of his statement we are further referred by Dr. Burrows to the registers of La Salpêtrière and the Bicêtre, both of them large Parisian institutions, and from which it appears that the disorder has not recently increased, except in the year 1817, which was in France a year of great national distress and scarcity. 'Neither in Germany, except locally, where the ravages and horrors of war were particularly exasperated, has this malady gained ground during the present century.' Sorry are we to add that the reports from Ireland are of a far less consolatory kind. We have lately seen a letter from Dr. Hallaran (the able and excellent physician of the Cork asylum, and author of one of the best treatises extant on mental diseases,) in which a frightful picture is pourtrayed of the present condition of some districts of Ireland as to the prevalence of mental disorder. In his interesting publication, too, we find it remarked that 'the late unhappy disturbances of Ireland have augmented in a remarkable degree the insane lists;' and 'there is another cause,' he says, 'of a more general nature which seems likely to add more permanently to the growing number, I mean the unrestrained use of ardent spirits, that alarming vice, so inimical to domestic peace, to every moral virtue, and to political security.'

But the unfavourable reports from either a Cork or a Dublin physician cannot be considered as an absolute test that the disease is on the increase. Ireland not being regulated by the same poor laws as England, there are no houses in which pauper lunatics are confined, and the circumstance of their being at large must augment the apparent number; but besides this, a general and just impression has obtained, that both in Dublin and Cork the treatment of lunacy is far more successful than in many other parts of the island, and therefore the asylums of these cities have lately been thronged 'precisely for the same reason that the Paris hospitals are stated to have overflowed,' the success in them being beyond measure superior to that of the provincial establishments:—a fact, by the way, which proves that the proportion of recoveries from mental diseases, is greatly dependent upon the means employed for restoration.

In pursuing the inquiry relative to the comparative prevalence of the malady in this and other countries, Dr. Burrows is led into a series of investigations, the results of which must be highly gratifying to those who feel interested for the happiness, and jealous of the character, of their countrymen. Insanity is considered by foreigners in general as the opprobrium of England, and it has long been a practice with Frenchmen, in particular, to reproach us for

the frequency of suicide; 'even the celebrated Montesquieu has condescended to become a vehicle of this calumny.' Now it is a curious fact, that an estimate taken in 1817 of the proportion of suicides in several large cities on the continent, presents a greater number than our own metropolis for the same year; in some of these indeed the proportion is enormously great when compared with that of London: this, perhaps, is to be attributed mainly to the particular circumstances of the respective provinces arising from the protracted war: but even in Paris, Berlin and Copenhagen, the number of suicides during the above year is 'in relation to that of London, as 5 to 2, 5 to 3, and 3 to 1.' 'Thus, says Dr. Burrows, 'if the prevalence of suicide be truly a test of the prevalence of insanity, we have here positive proof, that mental derangement is less frequent in England than in several other countries.' It must however be recollected, that the above comparison only applies to one year, and that no true estimates of this kind can be formed unless the circumstances political and otherwise of the several countries are precisely similar. We question too the propriety of making the number of suicides an indication of the number of the insane, since we are not disciples of that creed which indiscriminately puts down every case of self-destruction to the score of deranged intellect.

As to the more particular question of the prevalence of lunacy in England, Dr. Powell, while investigating this subject, took the pains to compare the Commissioners' register of Lunatics for 1800, with the census of the country's population of the same date; and this comparison presents the proportion of only *one* lunatic in 7300. 'Admitting,' says Dr. Burrows, 'this proportion to be a just one, none would pronounce insanity a prevalent malady, and all apprehension on that account ought to cease.' But these returns, as we have already intimated, are too defective to authorize any correct deduction from them; they do not, in the first place, comprehend private unlicensed houses; they omit pauper lunatics and idiots; lunatics also still dwelling in their own habitations are not included; and 'will it be believed? the largest lunatic hospital in the empire is quite overlooked: St. Luke's is not in the list! Neither is the small but excellent establishment attached to Guy's Hospital, nor the celebrated Retreat at York.'

'Let us suppose,' says Dr. Burrows, 'that the number of all classes of lunatics omitted in this return amount to half the number included in it,' (which by the way we imagine to be a larger number than is actually the case,) 'then the total of lunatics in England and Wales would be about 6000. This estimate we will assume to be nearly correct. What standard then offers with which this enumeration may be compared,

pared, and whence the degree in which insanity prevails may be measured?

'According to the census in 1810, the population of England and Wales was about ten millions and a half; being an increase, since 1800, of 1,300,000; therefore to rate the population in 1819 at twelve millions must be a moderate computation. Now the relative proportion of 6000 to 12,000,000 is a *unit* to 2,000. This, in comparison with one lunatic in 7300 persons, is a high proportion; but, accepting the former and consequently more unfavourable proportion, does it justify the conclusion that insanity is an exceedingly prevalent disease?

'In relation to the population, although this ratio be more than thrice Dr. Powell's, yet I feel assured it does not warrant such an inference; and in relation to the occurrence of other maladies, I am convinced very little reflection will induce a concurrent opinion that insanity is comparatively in England a rare affection.'

As to Ireland, we have already remarked upon the uncertainty that must at present attend all estimates of the number of lunatics in comparison with the population of the country; and as it respects Scotland, it is a remarkable fact that the combined parochial returns, compared with the whole population, give a proportion of $2\frac{1}{2}$ to every 1000 persons, the average being about five lunatics for each of the 992 parishes of Scotland, and the population of the country being estimated at two millions. Now this proportion is so much above what would be anticipated, allowing the correctness of the estimate for England, that we are inclined to think there must be some undetected source of fallacy in one or the other of the calculations, probably in both, the rate for England being placed too low, and that of Scotland too high; for, from a comparison of the circumstances and habits of the two countries, and more especially from the consideration that our metropolis, compared with Edinburgh, is so immensely disproportionate, both in numbers and incentives to practices and pursuits which make way for the irruption of mental disease, we should have expected a result opposite to that which the above estimate presents. We hope that in the act relative to lunacy, now about to be framed, especial attention will be given to insure a greater accuracy of return than has hitherto obtained; these interesting calculations respecting the comparative prevalence of mental to other maladies will then prove more satisfactory. As the case now stands, however, we do not feel disposed to dispute the postulatium of Dr. Burrows,—that he has advanced enough to refute the general conclusions, that insanity is extraordinarily prevalent, and that it exceeds in England. What is still more pleasing and important, we meet with sufficient evidence in the work, to convince the unprejudiced inquirer that recoveries from insanity are becoming much more numerous than formerly. Soothing, in-

deed, must be the reflections of those individuals who recently, at the expense of great personal inconvenience, instituted and pursued that inquisition into public and private abuses, which has doubtless proved one of the principal causes both of the present improved condition of institutions for the insane, and of the mode of treating deranged intellect. It is one of the distinguishing characteristics of British senators, that even while occupied in those momentous affairs which involve the political interests of their country, they are ever mindful of the more minute considerations that bear upon the public comfort:—and yet there are those who affect to believe in the indifference of the English parliament towards the well-being of the English people.

Dr. Burrows devotes a section of his book to the agitation of the following query, 'Is religion a cause or an effect of insanity?' In the remarks on this very delicate and interesting topic, we find a great deal to approve. We formerly stated that the crowded asylums of Paris, during the revolutionary commotions of that city, afford pretty ample proof that insanity may become even endemically prevalent without any assistance from religious fervour; and we have now to add, on the authority of Dr. Esquirol, a celebrated French physician, that religious fanaticism, which formerly occasioned so much insanity, has almost ceased to have any influence. 'In more than 600 lunatics in La Salpêtrière, he discovered only eight; and in 337 admitted into his own private asylum, he recognizes only one whose malady was supposed to arise from that source.'

We cannot resist the temptation of presenting to our readers the picture which Dr. Esquirol himself draws of the present condition of his country.

'La religion n'intervient que comme un usage dans les actes les plus solennels de la vie; elle n'apporte plus ses consolations et l'esperance aux malheureux; la morale religieuse ne guide plus la raison dans le sentier étroit et difficile de la vie; le froid egoïsme a desesché toutes les sources du sentiment; il n'y a plus d'affections domestiques, ni de respect, ni d'amour, ni d'autorité, ni de dépendances reciproques, chacun vit pour soi; personne ne forme de ces sages combinaisons, qui liaient à la generation future les generations presentes.'

A mere comparison, indeed, of the proverbial freedom from the restraints of religion, which is at present conspicuous in Paris, with the vast excess of suicides above those of our own metropolis, according to the census already adverted to, would, of itself, be sufficient to prove the salutary tendency of Christianity in preventing the inroads of mental sickness; and, indeed, abstractedly considered, all must allow, that the manifold ills of life unbalanced

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by faith are much more calculated to overturn the intellect, and produce the horrid consequences of mental alienation, than the belief of any religious dogmata, however extravagant and untenable. The plain case we take to be this: in constitutions prone to mental aberration, or in individuals originally so framed and circumstanced, that an exciting cause is only wanting to bring the latent tendency into life and action, vivid representations or conceptions respecting the awful concerns of futurity are perhaps more operative in overturning the understanding, than any other single excitement. But madness, for the most part, is a complicated effect; and it must ever be recollected that despondent feelings and maniacal horrors, on the score of religion, are more frequently the consequence than the cause of the condition we deplore.

Many cases (says Dr. Burrows) have, it is to be feared, been hastily attributed to a religious origin, merely because the conduct or conversation of the lunatic has exhibited traits of too vivid spiritual impressions.

We would not have it supposed by these admissions, that we concede any thing in favour of that creed which proceeds upon the principle of selection and exclusion on the part of the Deity, and demands, as the criterion of saving faith, a consciousness and conviction of a peculiar cast and character. Who does not wish, while perusing the life of Cowper, that the sensitive and amiable spirit of this extraordinary man had been differently directed! And when we learn from his biographer (Hayley) that he one day took him aside and imparted the awful secret that a great wall was built between himself and heaven, which it was impossible he should ever be able to scale; we are shocked at principles which in any mind could lead to such feelings, and we imagine that the majority of our readers will discover in the following very affecting narrative, by Dr. Burrows, something of a similar effect from a similar source.

A young lady, aged about 22, not the only member of her family marked by natural genius, but of acutely nervous sensibility and delicacy of constitution, had, from living in a state of affluence, retired with her mother to a modest cottage in a beautifully situated village, where she soon engaged herself in every pursuit that an ardent imagination and pure philanthropy dictate. She was the instructress of the poor, and the comforter of the distressed. *In short she was an enthusiast in every opinion she adopted, or duty that she undertook.* In this frame of body and mind, a minister, not less remarkable for his zeal than for his persuasive powers in enforcing certain theological tenets, settled in the same place. Struck with his discourses, she gradually imbibed his doctrines, though very opposite to those which she had been taught. She grew very disquieted, and although becomingly pious

pious and attentive before, henceforth she devoted herself entirely to theological studies; but without interruption of those good works in which she was ever engaged. Her health, however, soon suffered by the extraordinary ardour she displayed in the performance of the various duties she had now undertaken. To wean her from pursuits which were evidently making as great inroads on her peace of mind as on her corporeal system, she was removed to the sea-side. Here her case was unfortunately mistaken, her health grew worse, and her spirits more unequal. She returned home; and it was at this period she wrote to a physician in a contiguous provincial city, not less distinguished for his private qualities than his love of science, the following letter:

‘Dear Sir.—The benevolent and persevering attention which I saw you exercise last summer for my unhappy friends, induces me to think that any opportunity of doing good is welcome to you, and that you will not, on account of its length, and the time it may occupy, refuse to read the statement of a case, which I think requires a fuller explanation than ordinary.

‘I am not, I hope, prompted to write to you by the despicable wish to speak of myself, but by a sincere desire to profit by your assistance in avoiding errors, and becoming as useful as the measure of my talents will permit.

‘I believe your penetration must have discovered, when my mother consulted you for me, that I concealed some part of my disorder from you; and you probably conjectured the hidden part was a mental disease; since whatever terrors infirmity of body may bring on, weakness of mind, I believe, only can produce an excessive fear of human opinions.

‘It was early decided by a medical friend of my family, that my constitution was extremely irritable; a sentence which was quite incomprehensible to me till experience too well explained it. In my earliest childhood my spirits were very weak, and I frequently shed tears, though when asked by my mother what was the reason, I could never give any. However, I felt that I wanted something. Perhaps the discipline used for me was not exactly suited; but I know not how it could have been otherwise, since my mother’s natural character was as different as possible from mine, so that no experience could lead her to understand me. My outward appearance was exceedingly calm, so that I resembled more the statue of a child than one alive. My mother thought that so much apparent moderation needed no correction, and she did not know that I wanted all the assistance that the most watchful care could give me. As this was the case I was too much indulged, I believe. As a father, sir, you will comprehend many little things that to another might appear ridiculous, and they will not appear unimportant to you because they are childish. Amongst your children’s books there may perhaps be one of scripture history, with prints, and amongst them one of Nebuchadnezzar in his state of degradation, very ill executed, and probably ridiculous enough. When I was very little, perhaps before I could read, my mother found me crying violently over this print; and, on inquiry, found it was because I thought I might at

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some time or other become like this king. She laughed at me very naturally, and I felt much relieved and thought there was no danger. Yet, if I am not mistaken, I had then felt, for the first time, that fear and abhorrence of evil which has never till lately been sufficiently strong in my mind to produce good.

'The clergyman of my native place is a very good man. His doctrines were, in that country, almost universally considered as methodistical; yet they are to be found in almost every page of the Bible, and at this time are preached, I believe, in almost every pulpit, from that of the University to that of the most obscure village, as the doctrines of the Church of England. Opposition had perhaps inflamed his zeal, and induced him to dwell more on faith than on morality; and it was very seldom that we heard him explain and enforce the intimate union between them; his sermons made considerable impression on my mind; but the violence, rather than the warmth of his manner, made it a painful one, and it was not productive of any active effect.

'When I was about twelve years old, my sister, a child of extraordinary talents and virtues, died, at the age of fourteen, with Christian hope and joy. Her death, succeeded as it was by a train of family misfortunes, very much withdrew my mother's attention from me, and I became most completely at my own disposal. In a year or two I fell into extreme indolence. In this slavery I have remained till within a few days, not without almost constant self-abhorrence, and some severe struggles.

'Your knowledge, sir, must make it unnecessary for me to describe the debility of constitution, the stupidity of understanding, and the insensibility of heart which are the consequences of sloth. From these assuredly nothing but the mercy of God could deliver me. This I have long resisted, though I have seen it in the beauty of the material creation, heard it from the lips of human genius, and felt it, in the application of the scriptures, by my conscience.

'Now that I have conquered my sinful habit, and have reason to hope that 'more grace will be given,' I have still some very painful apprehensions. The weakness of my understanding is such, that a short calculation, or a few moves at chess, gives me a violent headache, and a universal trembling. The activity and force of my imagination appear to me such, that if I were left to myself there is no extravagance of which I could not be guilty. I have happily found some little active employment; but when I am doing any thing which is merely mechanical, I feel as if (without having any intention of removing) it were impossible for me to keep my seat. When at such times I can find an opportunity of reading a few verses in the Bible, I feel immediately quite calm; but I cannot quite avoid the fear that I should abuse even the medicine of life. I have happily, in my brother, a friend, on whose strength of mind and goodness of heart I can rely with perfect confidence; but he perhaps wants some of that peculiar knowledge and experience which may be necessary for me. A sensation of sickness, which accompanies my most impatient feelings, and a degree

of restlessness at night gives me some hopes, that by the aid of medicine I might be placed in a more secure state.

'You will, I hope, excuse the length of my letter, as I thought it right to give you a true and sincere statement of my course of life, as far as regards this subject.

'I must add that nothing but my belief of your confidence in the sacrifice which has been made for the sins of the whole world, could have induced me to make this disclosure. If I had not this faith, the knowledge of my offences would be death to me; and I cannot endure that any person who does not possess it should know them.'

In the state of mind indicated by the above disclosure, it is easy to conceive how soon actual insanity might follow the inculcation of principles the severity and excluding tenor of which rest upon a misapplication of certain passages in Holy Writ. We cannot furnish a better comment on this case than that which Dr. Burrows has presented, which we shall therefore extract, with the continuation of the history.

'Nothing can so truly delineate the state of a fine but erratic mind, contending against morbid feelings and perceptions, as this simple but elegant appeal; or give a more clear prognostic of what was likely to happen. In fact, about a fortnight after it was written, a severe paroxysm of mania followed. In a short time she was carried to ——— to be under the care of the physician to whom the letter was addressed.

'With all the seeming candour which pervades her statement, some art is apparent. She alludes to the tenets of the clergyman of her native place, which she denies having had, when a child, "any active effect" on her, in the very terms which she would, had she had courage, have described the effect of the new doctrines she had recently heard; and which had actually produced on her mind the impression she deprecates.

'In about three months, the case appearing confirmed insanity, she was removed to lodgings near town to be under my care. In this stage I first saw her. She was past the sense of all moral attentions: her intellectual faculties were wholly absorbed; consciousness was denied; volition only seemed to be exercised. But in her soliloquies, or rather ramblings, what she said betrayed the inward workings; and that all thoughts were bent on religious subjects. She was, however, eventually cured.

'With the restoration of her understanding her religious enthusiasm subsided; and she again resumed all the elegant and lighter accomplishments of which she was mistress, but had long neglected. As a convalescent, she remained some weeks under my direction. Then, contrary to my earnest advice, she returned to her usual place of residence. Former associations were renewed; and she was allowed to pursue her own inclinations. Her health soon again became disordered: shortly she imbibed the most frightful and delusive impressions; and she was threatened with a complete relapse into her former mental malady. In this state, I found her when requested to visit her in the

county

county of ———. Fortunately, the means prescribed preserved her from this calamity.'

Other examples of a similar description are cited by our author, in which exhortations by the friends of the sufferers were too much intermixed with 'abstract doctrinal points' that proved altogether subversive of their benevolent intention; and in which reason was not restored until 'the new lights' were extinguished which had led to such lamentable wanderings from truth.

It is a curious observation of Dr. Hallaran in the work to which we have above referred, that in the 'Cork Lunatic Asylum, where Catholics are in proportion to Protestants as ten to one, no instance has occurred of mental derangement among the former from religious enthusiasm; but several dissenters from the established Church have been so affected.' We shall not, it is hoped, be suspected of adducing this statement with a view to any advantageous comparison between the Romish superstition and sectarian liberty, but we verily believe an instructive use may be made of this fact, the following explanation of which is proposed by Dr. Burrows.

'The ministers of the Romish persuasion will not permit their flocks to be wrought upon. To distrust the infallibility of any point of doctrine or discipline, is with them heresy. Catholics, therefore, are preserved from those dubitations which, when once engendered, generally end in conversion. The moment of danger is, when ancient opinions in matters of faith are wavering, or in the novitiate of those recently embraced.'

We are hence taught the salutary influence of authority upon subjects of religion, when exercised under due limitation; and the necessity of cultivating in our own minds, and impressing upon those whose destiny is greatly regulated by what we do, or leave undone in the way of direction and restraint, the injurious consequences likely to follow from giving the reins to restless inquiries respecting the multitudes of religious opinions that are abroad in the world; and some of which rove up and down in the spirit of proselytism. 'Although no education,' says Dr. Burrows, 'can be deemed good except the principles of piety and morality be inculcated, and properly exemplified, yet the young and yielding mind should be carefully guarded from encountering abstruse points of controversy. Perhaps in every instance where insanity has supervened to religion, some defect in education may be suspected.'

On the very momentous subject of 'legislative regulations,' the last topic upon which Dr. Burrows animadverts, we meet with many sensible and judicious intimations. A little too much jealousy is perhaps evinced with respect to the interference of the

the legislature in the conduct of establishments for the insane; and the remarks will probably admit of some qualification, founded on the fact of the writer being a party concerned. He, however, candidly admits, that 'the insane and idiotic are no longer capable of exercising the rights of citizens; that they are removed out of the pale of the social compact; are aliens to their nearest and dearest connexions; and are in themselves so helpless, and from that very cause so often exposed to wrong, that the law enjoins, *what their condition absolutely demands*—super-vision both of person and property; *they therefore naturally become the especial wards of their country.*'

In the recently rejected Bill, it must be conceded to Dr. Burrows and other objectors, that there were several clauses calculated to defeat the objects for which they were introduced—and that the general tenor of the instrument was perhaps too severe and restrictive; on the other hand, however, experience has too amply testified the mischief of defective vigilance on the part of government, and it is in our minds clearly made out that in many instances, at least, some preventive of indolence and interest is loudly called for.

We submit with much deference the two or three following suggestions:

It is hardly necessary to say, in the first place, that the super-intendant of a mad-house ought to be a man of character and responsibility; it is desirable, indeed, that he should be always chosen from the medical profession. But to prohibit, even prospectively, all who have not been brought up to medicine from opening establishments for the insane, might be deemed a measure too arbitrary, although we feel fully convinced that if a justifiable, it would prove a salutary ordinance on the part of government. The security required should be rather as to character than property; and we entirely accord with Dr. Burrows' objections to that clause in the Bill above alluded to, which demanded a bond for a considerable sum of money from every person about to enter on a concern of this kind.

It is in the next place of the utmost importance, that the mere keepers, or subintendants, if we may so name them, should be men who unite a certain degree of skill with integrity, humanity and self-command; for much, both as it regards the success of curative measures and the comfort of the incurable, must depend upon the kind of servants that are employed. It would, of course, be desirable that every incitement consistent with propriety should be held out to a due performance of the duties which these appointments involve; and the modes proposed for stimulating to exertion are, in our judgment, sufficiently feasible, viz.—to estab-

blish

blish a fund upon which every attendant should have a claim for an annuity in proportion to the length of approved services. Something also of a saving bank might be usefully resorted to, in the way of incentive to respectable individuals for engaging in these concerns; since the sum which the servants of institutions receive as salary, is at once too large for their immediate wants (provided they are single) and too small to enable them to form any thing like a fund for meeting the contingencies of temporary inability, or providing against the necessary disqualifications of old age.

With respect to admission, it is sufficiently obvious that there should be just so much difficulty as to preclude the impossibility of improper, and therefore unjust, confinement. For the certifying of insanity, two signatures of accredited and professionally qualified individuals (one of them at least a regular physician or a member of the College of Surgeons), ought to be required; or if the procuring of such witnesses should, in some cases, be attended with inconvenience, on the score of necessity for immediate controul, the confinement of any person beyond a specified time, say five days, should be made subject to this provision. No exception ought to be admitted on the ground that only one person is confined, for it is in these cases that the greatest risk is encountered of opening the door to unjust procedure. The only exemption from this law, should be in the instance of an individual voluntarily subjecting himself to controul.* Whenever compulsion is resorted to, all measures ought to be made unlawful that are not exercised under the above restriction. The objection that it would occasion unnecessary exposure, is by no means sufficient to set against the advantages which the rule would ensure. In all transactions of this nature, secrecy, if required, is part of the duty which honour prescribes, but, in point of fact, concealment is next to impossible; it will be found however for the most part, that the publicity given to these distressing scenes is not imputable to those who are called upon officially to witness them.

We would further say, that such houses only should be deemed legitimately constituted institutions as provide a prompt and proper system of medical and moral management; and it ought to be made imperative upon every conductor of an asylum, whether public or private, to order a register to be made of every new case, the date of admission, and the time of discharge; to lay it,

* This is sometimes done. It is a curious fact, that many of the articles in Aikin's Biography were penned in a lunatic asylum. The writer of them being subject to occasional attacks of insanity, and having warning of their approach, he was in the practice of giving himself up to the custody of an experienced keeper of a madhouse, prior to the full development of the disordered state.

properly

properly attested, before the Commissioners at regular periods, and to expose it annually to view in some part of the establishment. The mere initials of names might serve for this latter purpose.

It is lastly expedient that, in all provisional measures for the insane, due cognizance be taken of the necessities of pauper lunatics; an inefficiency in the expedients adopted in reference to this important particular being but too obvious, and much both of private and public mischief having thereby been produced. Parliament, the summer before last, passed a temporary act (Geo. 3. 59. cap. 127.) in order to remedy the defects of preceding regulations respecting pauper lunatics. 'But this act (says Dr. Burrows) short as it is, contains some serious errors and omissions. First, it does not order that these lunatics should be returned to the Commissioners; secondly, it takes cognizance of *dangerous* lunatics and idiots only; and thirdly, it is compulsory on parishes situated within counties, but it is not so on parishes situated within cities or places having a separate jurisdiction.'

The whole inquiry, indeed, with regard to the treatment of the insane resolves itself into two leading heads. It is desirable, first, that while none should be confined unnecessarily, all that do require controul, whether pauper or otherwise, should be subjected to it; and secondly, no means should be left untried which promise relief and cure. In order to give every facility for the trial of those means, the master must be sensible and humane, and the house so constructed and situated as to ensure as much comfort as possible to its distressed inmates.

But the question still remains, as to the most effectual mode of accomplishing the above requisites? Dr. Burrows suggests, and the suggestion seems to us highly worthy the consideration of the legislature, that there shall be two distinct sets of officers for conducting the regulation of lunatics,—*Commissioners* and *District Inspectors*,—a majority of the first being selected from the College of Physicians. They should consist of three or five, meet quarterly, or oftener, in London, 'be empowered to grant, transfer, and annul licences; to release improper objects from confinement; approve or reject superintendants; receive and register returns; arrange reports and communicate them to Parliament and the Secretary of State; and visit on especial occasions. They should go out by rotation.' The duty of the District Inspectors should be subordinate to and under the controul of the Commissioners. Our author adds that England and Wales might be divided into eight districts, and that to each two or three inspectors might be appropriated;—these should be required to visit each asylum at least four times in the year, and at irregular and unexpected

unexpected periods. Under the authority of the Commissioners, they should likewise be empowered to inspect all houses intended to be opened for asylums, and report thereon to the general commission.

In the case of those institutions which are supported by gratuitous funds, some delicacy will of course be required in the enforcement of necessary rules. In the event, however, of the commission and inspection being both conducted by properly qualified agents, we do not think there could be much objection to subjecting the regulations even of these independent establishments to legal authority. Dr. Burrows estimates that the whole expense of commissioners, inspectors, registrar, and all the incidental charges of the arrangement, would scarcely amount to one-third of the computed expense of the plan embraced in the rejected bill, viz. that of having eight commissioners, four secretaries, &c.

We shall further venture to suggest the expediency of instituting a fresh and minute inquiry into the *present* condition of lunatic asylums, prior to the arrangement of any legal measures for their management. The framing of a Bill would, after such inspection, be a matter of less difficulty, and its enactments would be more likely to meet the exigencies of the case, than if taken from the results of the late inquisition: such an investigation likewise, by affording an opportunity for estimating the actual state of these establishments, would prove, when compared with the documents already before Parliament and the public, to what extent the improvements already effected might supersede the necessity of restrictive or coercive measures. It would be conducted too under the advantage of less excited sensibility, and consequently of a judgment unbiassed by interested and exaggerated statements; while an opportunity would be presented of obtaining from institutions reformed, and from others since established on improved principles, a mass of information of the most valuable and unobjectionable nature. But we must not suffer ourselves to enlarge on this very interesting topic. When indeed we reflect on the high qualifications of the legislator, who stands pledged to the measure of preparing a code of enactments for parliamentary consideration; we feel almost inclined to withhold those slender intimations which have escaped us under a lively feeling of the necessities of the case; and at the same time, under a consciousness that, although much has already been effected, much still remains to be done towards ameliorating the afflicting circumstances connected with the suspension or loss of reason.

The following is the table to which we referred in page 173.

A COMPARATIVE VIEW OF THE CURES OF CASES OF INSANITY IN DIFFERENT INSTITUTIONS FOR LUNATICS.

PUBLIC ASYLUMS.		PUBLIC ASYLUMS.				
Asylum.	Aggregate of Cases.	Cathedral Proportions.		Aggregate of Cases.	Cathedral Proportions.	
		Recent Cases.	Recent and Old Cases.		Recent Cases.	Recent and Old Cases.
BRITISH.						
1. London	1814-15	81	176	58	1804 to 1815	93
2. Bedford	1814 to 1819	176	1,604	57	1804 to 1807	93
3. Bethlehem, (London)	1804 to 1703	1,604	4,974	57	1807 to 1815	93
4. Ditto	1704 to 1794	4,974	1,400	58	1808	93
5. Ditto	1795 to 1814	1,400	4,900	59	1809	93
6. Ditto	1815 to 1819	4,900	864	60	1810	93
7. Exeter	1817 to 1860	864	1,431	61	1811	93
8. Exeter	1861 to 1817	1,431	1,431	62	1812	93
9. Exeter	1818 to 1819	1,431	1,431	63	1813	93
10. Exeter	1820 to 1819	1,431	1,431	64	1814	93
11. Exeter	1820 to 1819	1,431	1,431	65	1815	93
12. Exeter	1820 to 1819	1,431	1,431	66	1816	93
13. Exeter	1820 to 1819	1,431	1,431	67	1817	93
14. Exeter	1820 to 1819	1,431	1,431	68	1818	93
15. Exeter	1820 to 1819	1,431	1,431	69	1819	93
16. Exeter	1820 to 1819	1,431	1,431	70	1820	93
17. Exeter	1820 to 1819	1,431	1,431	71	1821	93
18. Exeter	1820 to 1819	1,431	1,431	72	1822	93
19. Exeter	1820 to 1819	1,431	1,431	73	1823	93
20. Exeter	1820 to 1819	1,431	1,431	74	1824	93
21. Exeter	1820 to 1819	1,431	1,431	75	1825	93
22. Exeter	1820 to 1819	1,431	1,431	76	1826	93
23. Exeter	1820 to 1819	1,431	1,431	77	1827	93
24. Exeter	1820 to 1819	1,431	1,431	78	1828	93
25. Exeter	1820 to 1819	1,431	1,431	79	1829	93
26. Exeter	1820 to 1819	1,431	1,431	80	1830	93
27. Exeter	1820 to 1819	1,431	1,431	81	1831	93
28. Exeter	1820 to 1819	1,431	1,431	82	1832	93
29. Exeter	1820 to 1819	1,431	1,431	83	1833	93
30. Exeter	1820 to 1819	1,431	1,431	84	1834	93
31. Exeter	1820 to 1819	1,431	1,431	85	1835	93
32. Exeter	1820 to 1819	1,431	1,431	86	1836	93
33. Exeter	1820 to 1819	1,431	1,431	87	1837	93
34. Exeter	1820 to 1819	1,431	1,431	88	1838	93
35. Exeter	1820 to 1819	1,431	1,431	89	1839	93
36. Exeter	1820 to 1819	1,431	1,431	90	1840	93
37. Exeter	1820 to 1819	1,431	1,431	91	1841	93
38. Exeter	1820 to 1819	1,431	1,431	92	1842	93
39. Exeter	1820 to 1819	1,431	1,431	93	1843	93
40. Exeter	1820 to 1819	1,431	1,431	94	1844	93
41. Exeter	1820 to 1819	1,431	1,431	95	1845	93
42. Exeter	1820 to 1819	1,431	1,431	96	1846	93
43. Exeter	1820 to 1819	1,431	1,431	97	1847	93
44. Exeter	1820 to 1819	1,431	1,431	98	1848	93
45. Exeter	1820 to 1819	1,431	1,431	99	1849	93
46. Exeter	1820 to 1819	1,431	1,431	100	1850	93
47. Exeter	1820 to 1819	1,431	1,431	101	1851	93
48. Exeter	1820 to 1819	1,431	1,431	102	1852	93
49. Exeter	1820 to 1819	1,431	1,431	103	1853	93
50. Exeter	1820 to 1819	1,431	1,431	104	1854	93
51. Exeter	1820 to 1819	1,431	1,431	105	1855	93
52. Exeter	1820 to 1819	1,431	1,431	106	1856	93
53. Exeter	1820 to 1819	1,431	1,431	107	1857	93
54. Exeter	1820 to 1819	1,431	1,431	108	1858	93
55. Exeter	1820 to 1819	1,431	1,431	109	1859	93
56. Exeter	1820 to 1819	1,431	1,431	110	1860	93
57. Exeter	1820 to 1819	1,431	1,431	111	1861	93
58. Exeter	1820 to 1819	1,431	1,431	112	1862	93
59. Exeter	1820 to 1819	1,431	1,431	113	1863	93
60. Exeter	1820 to 1819	1,431	1,431	114	1864	93
61. Exeter	1820 to 1819	1,431	1,431	115	1865	93
62. Exeter	1820 to 1819	1,431	1,431	116	1866	93
63. Exeter	1820 to 1819	1,431	1,431	117	1867	93
64. Exeter	1820 to 1819	1,431	1,431	118	1868	93
65. Exeter	1820 to 1819	1,431	1,431	119	1869	93
66. Exeter	1820 to 1819	1,431	1,431	120	1870	93
67. Exeter	1820 to 1819	1,431	1,431	121	1871	93
68. Exeter	1820 to 1819	1,431	1,431	122	1872	93
69. Exeter	1820 to 1819	1,431	1,431	123	1873	93
70. Exeter	1820 to 1819	1,431	1,431	124	1874	93
71. Exeter	1820 to 1819	1,431	1,431	125	1875	93
72. Exeter	1820 to 1819	1,431	1,431	126	1876	93
73. Exeter	1820 to 1819	1,431	1,431	127	1877	93
74. Exeter	1820 to 1819	1,431	1,431	128	1878	93
75. Exeter	1820 to 1819	1,431	1,431	129	1879	93
76. Exeter	1820 to 1819	1,431	1,431	130	1880	93
77. Exeter	1820 to 1819	1,431	1,431	131	1881	93
78. Exeter	1820 to 1819	1,431	1,431	132	1882	93
79. Exeter	1820 to 1819	1,431	1,431	133	1883	93
80. Exeter	1820 to 1819	1,431	1,431	134	1884	93
81. Exeter	1820 to 1819	1,431	1,431	135	1885	93
82. Exeter	1820 to 1819	1,431	1,431	136	1886	93
83. Exeter	1820 to 1819	1,431	1,431	137	1887	93
84. Exeter	1820 to 1819	1,431	1,431	138	1888	93
85. Exeter	1820 to 1819	1,431	1,431	139	1889	93
86. Exeter	1820 to 1819	1,431	1,431	140	1890	93
87. Exeter	1820 to 1819	1,431	1,431	141	1891	93
88. Exeter	1820 to 1819	1,431	1,431	142	1892	93
89. Exeter	1820 to 1819	1,431	1,431	143	1893	93
90. Exeter	1820 to 1819	1,431	1,431	144	1894	93
91. Exeter	1820 to 1819	1,431	1,431	145	1895	93
92. Exeter	1820 to 1819	1,431	1,431	146	1896	93
93. Exeter	1820 to 1819	1,431	1,431	147	1897	93
94. Exeter	1820 to 1819	1,431	1,431	148	1898	93
95. Exeter	1820 to 1819	1,431	1,431	149	1899	93
96. Exeter	1820 to 1819	1,431	1,431	150	1900	93
97. Exeter	1820 to 1819	1,431	1,431	151	1901	93
98. Exeter	1820 to 1819	1,431	1,431	152	1902	93
99. Exeter	1820 to 1819	1,431	1,431	153	1903	93
100. Exeter	1820 to 1819	1,431	1,431	154	1904	93
101. Exeter	1820 to 1819	1,431	1,431	155	1905	93
102. Exeter	1820 to 1819	1,431	1,431	156	1906	93
103. Exeter	1820 to 1819	1,431	1,431	157	1907	93
104. Exeter	1820 to 1819	1,431	1,431	158	1908	93
105. Exeter	1820 to 1819	1,431	1,431	159	1909	93
106. Exeter	1820 to 1819	1,431	1,431	160	1910	93
107. Exeter	1820 to 1819	1,431	1,431	161	1911	93
108. Exeter	1820 to 1819	1,431	1,431	162	1912	93
109. Exeter	1820 to 1819	1,431	1,431	163	1913	93
110. Exeter	1820 to 1819	1,431	1,431	164	1914	93
111. Exeter	1820 to 1819	1,431	1,431	165	1915	93
112. Exeter	1820 to 1819	1,431	1,431	166	1916	93
113. Exeter	1820 to 1819	1,431	1,431	167	1917	93
114. Exeter	1820 to 1819	1,431	1,431	168	1918	93
115. Exeter	1820 to 1819	1,431	1,431	169	1919	93
116. Exeter	1820 to 1819	1,431	1,431	170	1920	93
117. Exeter	1820 to 1819	1,431	1,431	171	1921	93
118. Exeter	1820 to 1819	1,431	1,431	172	1922	93
119. Exeter	1820 to 1819	1,431	1,431	173	1923	93
120. Exeter	1820 to 1819	1,431	1,431	174	1924	93
121. Exeter	1820 to 1819	1,431	1,431	175	1925	93
122. Exeter	1820 to 1819	1,431	1,431	176	1926	93
123. Exeter	1820 to 1819	1,431	1,431	177	1927	93
124. Exeter	1820 to 1819	1,431	1,431	178	1928	93
125. Exeter	1820 to 1819	1,431	1,431	179	1929	93
126. Exeter	1820 to 1819	1,431	1,431	180	1930	93
127. Exeter	1820 to 1819	1,431	1,431	181	1931	93
128. Exeter	1820 to 1819	1,431	1,431	182	1932	93
129. Exeter	1820 to 1819	1,431	1,431	183	1933	93
130. Exeter	1820 to 1819	1,431	1,431	184	1934	93
131. Exeter	1820 to 1819	1,431	1,431	185	1935	93
132. Exeter	1820 to 1819	1,431	1,431	186	1936	93
133. Exeter	1820 to 1819	1,431	1,431	187	1937	93
134. Exeter	1820 to 1819	1,431	1,431	188	1938	93
135. Exeter	1820 to 1819	1,431	1,431	189	1939	93
136. Exeter	1820 to 1819	1,431	1,431	190	1940	93
137. Exeter	1820 to 1819	1,431	1,431	191	1941	93
138. Exeter	1820 to 1819	1,431	1,431	192	1942	93
139. Exeter	1820 to 1819	1,431	1,431	193	1943	93
140. Exeter	1820 to 1819	1,431	1,431	194	1944	93
141. Exeter	1820 to 1819	1,431	1,431	195	1945	93
142. Exeter	1820 to 1819	1,431	1,431	196	1946	93
143. Exeter	1820 to 1819	1,431	1,431	197	1947	93
144. Exeter	1820 to 1819	1,431	1,431	198	1948	93
145. Exeter	1820 to 1819	1,431	1,431	199	1949	93
146. Exeter	1820 to 1819	1,431	1,431	200	1950	93
147. Exeter	1820 to 1819	1,431	1,431	201	1951	93
148. Exeter	1820 to 1819	1,431	1,431	202	1952	93
149. Exeter	1820 to 1819	1,431	1,431	203	1953	93
150. Exeter	1820 to 1819	1,431	1,431	204	1954	93
151. Exeter	1820 to 1819	1,431	1,431	205	1955	93
152. Exeter	1820 to 1819	1,431	1,431	206	1956	93
153. Exeter	1820 to 1819	1,431	1,431	207	1957	93
154. Exeter	1820 to 1819	1,431	1,431	208	1958	93
155. Exeter	1820 to 1819	1,431	1,431	209	1959	93
156. Exeter	1820 to 1819	1,431	1,431	210	1960	93
157. Exeter	1820 to 1819	1,431	1,431	211	1961	93
158. Exeter	1820 to 1819	1,431	1,431	212	1962	93
159. Exeter	1820 to 1					

ART. VIII.—*Report from the Select Committee on Criminal Laws, &c.; ordered by the House of Commons to be printed, 8th July, 1819. pp. 270.*

WE live at a period when the human mind is every where acting under a powerful impulse. Whatever difference of opinion may be entertained respecting the causes from which it proceeds, or the consequences to which it leads, the existence of the fact itself admits of no dispute. Wherever our inquiries or personal observations extend, we find mankind restless and dissatisfied, and straining every faculty of mind and body for the improvement of their condition, to a degree of which no former age can furnish an example. Nothing can more strongly illustrate this than the comparative insignificance into which those countries are falling which do not participate in the general struggle for superiority; while in all the rest, new channels of communication are opened, more ingenious methods are adopted for giving permanence to natural and acquired advantages, and the resources of art are exhausted in increasing the value of the produce of the soil, or of the commodities which may be found beneath its surface. A still loftier idea will be formed of this display of mental energy, when it is considered that it is not confined to external nature alone. It has been equally conspicuous in the intellectual world; and in those sciences which treat of man as a rational, moral, and social being, there has been a greater revolution in opinion within the last half century than for some thousand years preceding. The deference formerly paid to custom and authority is every day diminishing, and the public has now acquired a confidence in its own judgment which makes it submit with impatience to any other species of controul. All classes of society are as tenacious of rights which they conceive to belong to themselves as they are prompt to challenge those which are claimed by others, and seldom admit any question of literature, morality, or policy, however subtle or comprehensive, to be too high for their understandings. Whenever the community at large takes an interest in any question which the course of events brings before it, neither length of acquiescence nor strength of legal title can protect it from full, and often uncereceremonious, investigation; and if an attack is once made, however unreasonably, upon any received or established doctrine, law or usage, it cannot safely be defended otherwise than by shewing, not only that it is true or useful in the abstract, but that it is so under the particular modification in which it then presents itself. This spirit of universal inquisition is one of the most striking characteristics of the present day, and demands the deep and dispassionate attention of all who govern human affairs, as well as those who ruminate upon them. It

is openly or secretly pervading every part of the civilized world, and there is no appearance that it has yet fulfilled its appointed course. Instead of striving to stop its progress altogether, which we suspect will ultimately prove unavailing, we cannot help thinking that it would be wiser and safer to endeavour to confine it, as far as possible, within reasonable limits, and direct it to the attainment of practicable objects.

Few subjects have lately occupied more of the inquisitive spirit of which we have been speaking than that of Criminal Jurisprudence. By the abolition of torture, and the impartiality which characterised its general procedure, the criminal law of England early obtained a decided superiority over that of the other states of Europe, but, till near the end of the last century, continued an object rather of admiration than imitation. It is perhaps owing to the comparative superiority which it thus attained, that so little has been done within the last two or three hundred years for its amelioration. Committees of the two Houses have from time to time been appointed, but their attempts at improvement have been languid; and even those which sat in 1750 and 1770 were attended with no practical result. Scarcely any change was effected either in the form or substance of the criminal code, except when new taxes or new kinds of crime caused fresh felonies to be added to the list of existing penal enactments. At last, Sir S. Romilly, in 1810, introduced his bills for abolishing capital punishment in certain sorts of larceny; and it is owing to his celebrity and talents that the criminal law was first brought into general discussion. What the views of that distinguished man on the whole subject of crimes and punishments were, no speech or publication of his, as far as we are aware, has unequivocally disclosed; but without assuming them to be the same with those entertained by the Committee on criminal laws, the Report which they have now made may fairly be considered as a continuation of his labours.

Without stopping to inquire whether the Report is drawn up with the accuracy and perspicuity which might have been expected from the reputation of the chairman and members of the Committee, and the importance of the task devolved upon them, we shall proceed at once to the examination of its contents. It consists of four sections: the first relates to the returns, or statistical tables, produced before the Committee by the different gentlemen officiating in the courts of assize; the second, to the existing laws which the Committee propose to repeal; the third, to the renewal of Sir S. Romilly's acts respecting larceny; and the fourth, to the subject of forgery. We shall make some observations: I. On the contents of each of the four sections of which the Report is composed; II. On the

the further changes in the punishment of crimes which several passages in the Report shew it to be the intention of the Committee hereafter to introduce; and, III. On the best course of proceeding for the improvement of criminal law.

I.—1. The first section of the Report relates to the returns of commitments, convictions, and executions, presented to the Committee by the different officers connected with the administration of criminal law. For the pains which they have taken in collecting and publishing these papers, we think the Committee entitled to unqualified approbation. They throw light upon many points, about which no opinion at all could have previously been formed; and others, which were before only probable, they have now set at rest beyond all possibility of dispute. But while we attach due value to the facts which these tables contain, we cannot join in ascribing to them that supreme importance which is often done at the present day. In this respect there is a marked difference between the physical sciences and those which relate to man either as an intellectual or social being. In physical science there is no way of becoming acquainted with the properties of any external object, or of the rules by which it is governed, but by a careful induction and comparison of particulars which have been observed respecting it. But in the sciences which relate to man the case is widely different. The faculties and passions by which every individual is conscious that he himself is actuated, and which, with suitable allowances, operate in a similar manner on all mankind, become in all cases in which man is concerned the real principles upon which our reasoning ought to proceed; and the chief use of the facts contained in statistical tables is merely to correct any misapprehension of those principles into which we may fall, and not to supersede the authority of the principles themselves. The statesman who founds his measures upon a thorough knowledge of the main springs of human action will never greatly miss his way; but he who is guided solely by the assistance of tables can never be sure how far, or in what way, peculiarities in education, society, or government, may have contributed to produce the results which they exhibit. To suppose that by heaping together, or poring over, any description of official returns, it can be discovered by an arithmetical operation what course of legislation or policy any country ought in its particular circumstances to adopt, we conceive to be a dangerous delusion.

2. The second section of the Report relates to those laws of which the Committee have recommended the repeal. They consist of the following acts, which the Committee have divided into two classes.

Class I.

1. 1 and 2 Phil. and Mary, c. 4. Egyptians remaining within the kingdom one month.
2. 18 Ch. II. c. 5. Notorious thieves in Cumberland and Northumberland.
3. 9 G. I. c. 22. Being } in any forest, park, &c.
armed and disguised }
4. _____ any warren.
5. _____ high road, heath, common, or down.
6. _____ unlawfully hunting, killing, or stealing deer.
7. _____ robbing warrens, &c.
8. _____ stealing or taking fish out of any river or pond, &c.
9. _____ hunting in his Majesty's forests or chases.
10. _____ breaking down the head or mound of a fish-pond.
11. 9 G. I. c. 28. Being disguised within the Mint.
12. 12 G. II. c. 29. Injuring of Westminster Bridge, and other Bridges, by other acts.

Class II.

1. 31 Eliz. c. 9. Taking away any maid, widow, or wife, &c.
2. 21 Jam. I. c. 26. Acknowledging or procuring any fine, recovery, &c.
3. 4 G. I. c. 11. sec. 4. Helping to the recovery of stolen goods.
4. 9 G. I. c. 22. Maliciously killing or wounding cattle.
5. _____ cutting down or destroying trees growing, &c.
6. 5 G. II. c. 30. Bankrupts not surrendering, &c.
7. _____ concealing or embezzling.
8. 6 G. II. c. 37. Cutting down the bank of any river.
9. 8 G. II. c. 20. Destroying any fence, lock, sluice, &c.
10. 26 G. II. c. 33. Making a false entry in a marriage register, &c. five felonies.
11. 27 G. II. c. 15. Sending threatening letters.
12. 27 G. II. c. 19. Destroying bank, &c. Bedford Level.
13. 3 G. III. c. 16. Personating out-pensioners of Greenwich Hospital.
14. 22 G. III. c. 40. Maliciously cutting serges.
15. 24 G. III. c. 47. Harbours offenders against that (revenue) act when returned from transportation.

The Committee propose that the first of these classes should be simply repealed; and in the second, that the punishment of death should

should be repealed, and that of transportation, or imprisonment with hard labour, substituted in its stead.

We agree with the Committee in thinking that Nos. 1, 2, 11, and 12, of the first class, might advisably be repealed; and Nos. 2, 6, 7, and 15, of the second, ought not perhaps to be visited with death: but with respect to all the other acts contained in these two classes, the Committee could hardly expect the House of Commons to revoke them without mature deliberation and inquiry. Indeed there are some of them which seem entitled to rank among the most important laws now standing in the statute book.

Nos. 3, 4, 5, 6, 7, 8, 9, and 10 of the first class, and numbers 4 and 5 of the second, are all contained in the 9th G. I. c. 22. commonly called the Black Act, which recites, that 'several ill-designing and disorderly persons had associated themselves, under the name of *Blacks*, and had, in great numbers, armed with swords, fire-arms, and other offensive weapons, with their faces blacked, or in disguised habits, unlawfully hunted in forests and parks, and destroyed and carried away deer, robbed warrens, rivers and fish-ponds, and cut down plantations of trees, and sent letters in fictitious names, threatening some great violence if their unlawful demands should be refused, or they should be interrupted in or prosecuted for their practices;' and then imposes the punishment of death upon such as are found guilty of any of the offences contained in it. It does not appear that this act was either passed unadvisedly, or believed to be unavailing, for it has been frequently excepted from other repealed acts as well as re-enacted, and was at last made perpetual by 31 G. II. c. 42. Whether it should have been worded, or its provisions limited in the precise manner in which they now are, we do not take upon us to determine; but from the number and magnitude of the offences to which it extends, the various sorts of property which it protects, and the possible recurrence of disorders of an equally formidable nature with those by which it was occasioned, we think it would be unwise to repeal it, without substituting some provision in its room.

No. 1 of Class II. makes it capital to take away women having substance or who are heirs apparent, and afterwards to marry them against their will or to defile them,—a crime of rare occurrence undoubtedly in modern times, and yet of so heinous a nature that it is questionable whether the act should be abolished. It may be said it makes a distinction between persons. Why should it not, if there is ground for the distinction? In nine cases out of ten where offences of this nature have been committed against women, it will be found that the victims have been women of substance, as the records of the Court of Chancery, in which cases of an analogous nature most frequently occur, will abundantly testify. But if there is any

force in the objection, it could easily be removed by extending the act to all women whatsoever. Perhaps in reason it ought to be so, for if force, fraud, contrivance, and injury, can constitute a crime, the whole of these attributes here combine to do so.

Why No. 9 of Class II. should be repealed, we do not readily perceive. It only enacts that 'persons who have secret acquaintance with felons, and who make it their business to help persons to their stolen goods, and by that means gain money from them, which is divided between them and the felons, whereby they greatly encourage such offenders,' shall suffer the same punishment with the felon. The punishment of the one therefore must always follow the changes effected by the law in the punishment of the other, and we perceive no impropriety in such arrangement.

No. 10 of Class II. we were not prepared to find among a bundle of Acts of parliament which it is proposed to remove as so much statutory lumber. It inflicts capital punishment on five varieties of the same offence, viz. 1. for knowingly inserting or causing to be inserted in any register any false entry of any matter relating to any marriage; 2. for altering or forging, or causing to be altered or forged, or assisting in altering or forging, any such entry; 3. for forging or altering, or causing to be forged or altered, or assisting in forging or altering any marriage license; 4. for uttering as true any such altered or forged license knowing it to be false; 5. for destroying, or causing to be destroyed, any register in whole or in part, with a view to avoid any marriage, or subject any person to the penalties of this act. The whole of these offences, it must be remembered, may be executed in impenetrable secrecy, evince great deliberation and contrivance, and can only proceed from the basest motives of interest, malice, or revenge on the part of the perpetrators. Still further to increase their enormity, the injury inflicted on those who are the victims of them is irreparable. Most of the misfortunes to which life is subject, can, with the help of time and patience be surmounted; but the act which robs a mother of her honour and contaminates the descent of her issue, inflicts a wound beyond all earthly power to heal. We trust, therefore, that none of the penalties which the law has enacted for securing the integrity of proofs of marriage, will rashly or lightly be abolished.

The offence of personating out-pensioners of Greenwich Hospital, which is No. 13 of Class II. seems at first sight too severe. At the same time it is obvious that unless a heavy penalty were imposed, great loss would be sustained either by the out-pensioners or the public; and perhaps reasons might be adduced in justification of the present law, which would not readily suggest themselves

themselves to any other persons than those who are acquainted with the affairs of the Hospital.

‘To send knowingly any letter without any name subscribed thereto, or signed with a fictitious name or letter, threatening to kill any of His Majesty’s subjects, or to burn their houses, out-houses, or stacks of corn, hay or straw,’ which forms No. II. of Class II. as well as threatening letters of one or two other descriptions, are crimes which ought perhaps to remain capital. They are usually committed against persons of feeble minds, or such as are placed in solitary or unprotected situations; and when it is considered how much distress they usually occasion to the individuals concerned, and to what degree they undermine the security and happiness of society, they swell into offences of the greatest magnitude.

The only cases now remaining to be considered are Nos. 8, 9, 12 and 14, of Class II. relating to the cutting down of any sea bank or the bank of any river by which any lands may be overflowed or damaged; the destruction of any turnpike-gate, lock, or sluice on any navigable river; the destruction of any bank, &c. belonging to the Bedford Level; and the malicious cutting of serges; which come under the same principle with the outrages provided against by the Black Act. The main reason of the first three enactments is, that the property they protect is of a nature which no foresight or vigilance of the owner can place beyond the reach of danger, but which must at all hours, and especially in unfrequented places and under cloud of night, lie at the mercy of those in the midst of whom he lives;—because the damage done to it may be unlimited, may be executed with great celerity and secrecy, and evinces that premeditated malice and contrivance, which the law of every country in Europe justly regards as the chief ingredient in criminal offences. The amount of the property at stake is of itself a weighty consideration. When the destruction of a bridge, the drying of a canal, or the cutting of a dike in one of the fen countries, may injure the trade of the neighbourhood, or flood the surrounding country to an extent of which none can know the limits, it seems premature to repeal the capital punishment until the evidence of respectable witnesses has been obtained on the subject. We are of the same opinion with respect to the cutting of serges, and also (though it is a point of much difficulty) respecting the cutting down and destroying of growing trees, which the Committee regard as the most venial of the whole class of crimes of which we have now been speaking. As the person cutting or destroying growing trees can neither plead views of profit nor sudden passion in extenuation of his conduct, and can only be impelled to such an act because he believes it will be the most poignant injury he can do to the owner, and that a course of years will be required to repair the damage,

mage, if it be not altogether irreparable; these considerations united render it, in our estimation, one of the deepest offences which can be committed against property, and evincing a depravity of mind which affords little presage of reformation either from removal to New South Wales or meditation in a Penitentiary. In confirmation of what we have said, we refer to the very case on which the Committee, (page 6 of their Report); have made the following diametrically opposite observations.

‘ Were capital punishments reduced to the comparatively small number of cases in which they are often inflicted, it would become a much simpler operation to form a right judgment of their propriety or necessity. Another consideration of still greater moment presents itself on this point of the subject: Penal laws are sometimes called into activity after long disuse, and in cases where their very existence may be unknown to the best informed part of the community; malicious prosecutors set them in motion; a mistaken administration of the law may apply them to purposes for which they were not intended, and which they are calculated more to defeat than to promote: such seems to have been the case of the person who, in 1814, at the assizes for Essex, was capitally convicted of the offence of cutting down trees, and who in spite of earnest application for mercy from the prosecutor, the committing magistrate, and the whole neighbourhood, was executed apparently because he was believed to be habitually engaged in other offences, for none of which however he had been convicted or tried. This case is not quoted as furnishing any charge against the humanity of the judge or of the advisers of the crown: they certainly acted according to the dictates of their judgment; but it is a case where the effect of punishment is sufficiently shewn by the evidence to be the reverse of exemplary, and it is hard to say, whether the general disuse of the capital punishment in this offence, or the single instance in which it has been carried into effect, suggests the strongest reasons for its abolition.’

We shall now quote the only evidence given on this subject before the Committee, that of Robert Torin, Esq. the committing magistrate. This gentleman says that William Potter (the man executed)

‘ was a very bad character, and he owed a particular spite against a miller in the neighbourhood, who had had him committed for snaring hares. The miller had planted a young orchard of trees, which he had taken a great deal of care of; he had planted it about three or four years before, and one morning when he got up, he found all his trees had been cut down.—How many trees—between sixty and seventy?—A great number; he came to me as a magistrate to complain of the thing; I asked him if he suspected any particular person; he said he suspected Potter: I asked him if there were any prints of the feet; he said, yes. In consequence I granted him a warrant, and the man was brought before me; I made him pull off his shoes, and sent for the shoemaker who made the shoes; I had them compared with the
footsteps,

footsteps, and they agreed; the thing was brought home to him, and he was tried before Mr. Justice Heath, and convicted of the offence. —He received sentence of death?—Yes, which rather struck us all with surprise; the miller, the clergyman of the parish, and several of the inhabitants presented a petition, and I signed my name to it. —What was the general character of this man?—He was a very notorious thief; he committed a vast number of petty thefts. —Was he ever convicted of petty theft?—No, but he was known to be a thorough thief; he broke open several tills, and stole the money out. —Had he ever been convicted or committed before?—No, not to my knowledge. —Did he confess all the acts of petty theft you have mentioned?—He gave a list of them to Mr. Morgan. —At what period were those confessions made?—After he was convicted; I believe the day after condemnation. —Did the execution of this man excite a considerable feeling in the country?—A great many people were surprised at it; it was considered a case of extreme hardship, but which was palliated by the badness of his character. —*Report, pp. 87, 88.*

Mr. Torin seems to be mistaken in saying that this man's confession took place after conviction; for the only extenuation which he mentions in his Letter to Lord Sidmouth, p. 88, is 'the ample confession which the culprit made soon after his commitment, and which was produced at his trial.' We may also add, that prosecution for this offence had not fallen altogether into disuse, as the Committee seem to suppose; for besides this indictment in 1814, the criminal records printed by the Committee, imperfect as they are, shew that another was preferred in 1757, p. 242, and another in 1780, p. 247; but as both prisoners were acquitted, it is impossible to conjecture if they had been convicted whether execution would have followed or not. Three other indictments under the Black Act are mentioned, two at p. 254 and one at 256, but as the particular offences under that statute for which the prisoners were indicted is not mentioned, it is impossible to ascertain whether they were for the cutting down of trees or not. With these corrections and additions, we request any of our readers who think the subject worth examining, to peruse carefully the Black Act as it stands in the Statute Book, Mr. Torin's evidence, and the facts we have produced from the records published by the Committee, and then let them judge for themselves whether there is a single statement relative to Potter's case contained in the paragraph quoted from the Report, which is strictly accurate, or which warrants the insinuation against the humanity or understanding of Mr. Justice Heath or Lord Sidmouth, which the Committee appear to us to have unfortunately conveyed in the very sentence in which they appear to disclaim it. That applications for mercy will be made from some quarter or other in favour of almost every individual convicted, we believe all who are connected with the administration

tion of justice are prepared to expect; but in the case in question we see nothing to blame in the manner in which these public servants performed their respective functions in the administration of the law. What conclusion ought to be drawn from the rare occurrence of any particular crime it is not easy to ascertain. There may either have been no disposition to commit the crime, or the punishment denounced may have been sufficient to prevent it. But whether the result be attributable to the one cause or the other, we cannot accede to a principle laid down at page 5 of the Report, and lately advanced in both Houses of Parliament as well as elsewhere, that if few or no punishments have taken place for a certain length of time for any particular offence, the punishment ought to be repealed as being no longer necessary. We do not deny that this reasoning is ingenious; but we certainly never met with any which it would be more dangerous practically to follow. When those to whom the task of legislation is committed have once determined an act to be a crime, and fixed that punishment which the peculiar circumstances of the country where it is to be enforced, in their judgment, require, we do not perceive why it should not be inflicted though it occur only once in a century. It is well known to those conversant with criminal law, that particular crimes become prevalent at distant and unequal intervals, in certain parts of the country, or among certain classes of society, in a manner perfectly inexplicable. What security have we that the houghing or maiming of cattle may not at some crisis be practised here as it was in Ireland during the last rebellion? So may the systematic destruction of growing timber. In fact, it was stated by Mr. Curwen in the House of Commons, in the end of the very last year (1819), that whole plantations had, a few days before the delivery of his speech, been cut down in the neighbourhood of Carlisle for pike shafts, by the misguided men who then sought to convulse the country. We never should consent to disarm justice of any of the terrors which properly belong to it, however long the exemplary conduct of persons of every rank and condition in the state may have permitted them to slumber. If this should ever happen, the consequence would be, that whenever any emergency arose we should see the legislature passing whole piles of acts of parliament at once, on the spur of the moment, and in a state of misapprehension, confusion, alarm, or exasperation. In our view of the matter, it accords better with the character and dignity of an enlightened people, to provide, with as much deliberation as human foresight will permit, for every accident or disease to which they are accessible, rather than to indulge the illusion that health and quietness will always last, and have the remedy to seek as well as administer when any disorder has actually overtaken them.

Our

Our readers will now be able to judge for themselves of the propriety of the following observations which the Committee have prefixed to the list given at page 6 of their Report, of all the classes of crimes of which we have been speaking: 'Your Committee (they say) have endeavoured to avoid all cases which seem to them to be on this ground disputable. From general caution, and a desire to avoid even the appearance of precipitation, they have postponed cases which seem to them to be liable to as little doubt as any of those to which they are about to advert.' It is very possible that, in the judgment of many sober-minded persons, these crimes may not be so aggravated as we are disposed to reckon them; but we are much mistaken if we have not at least shewn, that, instead of the repeal of them following as a matter of course as soon as proposed, which the Committee seem to expect, there is not one among them, the repeal of which would not trench so materially on the spirit and substance of English criminal law as to call for frequent and deliberate discussion. If the Committee propose to amend the criminal law, by the abolition of statutes which will be unanimously admitted to be unnecessary, they must confine themselves to such acts as Nos. 1, 2, 11 and 12 of the first class mentioned in their Report; to which may be added 1 Eliz. c. 2.; 23 Eliz. c. 1. § 5.; and 8 James I. c. 4. § 11, which impose severe penalties on persons not being dissenters who refuse to go to church, and which the 3d of William and Mary does not repeal; the 43d Eliz. c. 13. for the more peaceable government of Cumberland, Northumberland, Westmoreland and Durham; the 25 Hen. VIII. c. 13. imposing a penalty of 3s. 4d. for every sheep which any farmer should keep above 2000, and a like penalty for every week any farmer should occupy more than two tenements or holds; the 1 Hen. VII. c. 7. against unlawful hunting; and 5 and 6 Edw. VI. c. 4. by which every person convicted of 'drawing or smiting with a weapon in a church or church-yard' is to have one of his ears cut off, and if the person so offending have none ears whereby he should receive such punishment, that then he should be marked and burned in the cheek with a hot iron, having the letter F therein, whereby he may be 'known and taken for fraymaker and fighter.' It may be meet that these preposterous enactments should be erased from the statute book; but no material change would be produced in the criminal code, and we have no conception that it is to such unimportant alterations, but to others of a more effective nature, that the attention of the Committee is directed.

3. We come now to the 3d section of the Report, which relates to different sorts of larceny. The Committee set out with stating, at page 8, 'In the more disputable questions which relate to offences

'fences of more frequent occurrence and more extensive mischief, your Committee will limit their present practical conclusions to those cases to which the evidence before them most distinctly refers.' Now, the only *practical conclusion* at which we perceive the Committee to have arrived is, to recommend the revival of Sir Samuel Romilly's bills for the repeal of the three following capital felonies: stealing in shops, &c. to the value of five shillings; in a dwelling-house to the value of forty shillings; and from vessels in navigable rivers to the same amount. But though this is the only *practical conclusion* announced at present, the greater part of the section consists, either of observations on other felonies now capital by the law of England, which are intended to have a *practical effect* hereafter, or of attempts to confirm those observations by such selections from the evidence as the Committee thought most applicable to their purpose. We shall confine our attention to the specific measures which the Committee have in this section recommended for adoption by the House of Commons, reserving entire the consideration of the other alterations alluded to in this section, until we come to discuss them in conjunction with the other changes in the criminal law which the Committee have in prospect.

The 10 and 11 of William III. c. 23. which make it a capital felony to steal to the amount of five shillings from a shop, warehouse, stable, or coach-house, and 12 Ann and 24 Geo. II. which make it capital to steal privately from a dwelling house or on board a vessel in a navigable river to the amount of forty shillings, decidedly appear to us to have been always too severe. Sir S. Romilly has said, in the fourth page of his pamphlet, 'that if we confine our observations to these larcenies, unaccompanied with any circumstance of aggravation, for which a capital punishment is appointed by law, such as stealing in shops, and stealing in dwelling-houses, and on board ships, property of the value mentioned in the statutes, we shall find the proportion of those executed to those convicted reduced very far indeed below that even of one to twenty.' This statement was much below the truth. It appears from the Appendix to the Committee's Report, p. 141 and 139, that for the 7 years from 1812 to 1818 inclusive, the convictions in London and Middlesex, for larcenies from shops, dwelling-houses and vessels, amounted to 434; the number of executions only to 10, or 1 in every 43. It appears also from pages 132 and 128 of the Appendix, that the whole number of persons capitally convicted for larceny throughout England and Wales, from 1810 to 1818 inclusive, amounted to 1196, and the number executed to 18, or something less than 1 in 66, which result is still more disproportionate than that just mentioned. In these offences, therefore, it is clear that the text of the law can give no idea, to either

foreigner

foreigner or citizen, what the punishment inflicted actually is ; and the statute ought rather to be regarded as a snare for the 40th person whom it entangles, than a terror to the 39 who have escaped before him. It appears by the Appendix to the Report, p. 131, that, from the years 1810 to 1818 inclusive, the total number of persons committed for trial throughout England and Wales amounted to 75,021, of which no fewer than 50,595, being considerably upwards of three-fourths of the whole number, were for different sorts of larceny alone. Now, although it be true that these offences are more venial than many other crimes, yet the extent to which they disturb and deprave society makes it an object of extreme concern to adopt and enforce such laws as would most effectually repress them. What means are best calculated for this end it will not be easy to discover, for there is perhaps no offence with which it is so difficult to deal as stealing in its different varieties. We anxiously wish that the amount of the value stolen which infers capital punishment should be greatly raised, but we cannot say we think it expedient that it should be abolished altogether. In this country, where personal property is accumulated to so great an amount; where vast warehouses in unfrequented lanes and courts must be exposed to the attacks of combined and experienced thieves; rich houses and shops committed to the care of servants; and so much valuable property in bills and notes must be within the reach of clerks or bookkeepers, who have it in their power to involve whole families in ruin by a single act of stealth; we cannot believe that so fundamental an alteration of the law would be unaccompanied with danger. It is just also that the law should make a wide difference between old offenders and those who are convicted for the first time. When a criminal has not been deterred from evil practices by the reflection which succeeds apprehension, or that agony which accompanies a first conviction, his case is almost hopeless, and strong ground is afforded for cutting him off altogether from that society which his future existence would only burthen or contaminate.

4. The 4th and last section of the Committee's Report relates to the punishment of forgery, in the beginning of which we find the following passage:

' Much of the above evidence sufficiently establishes the general disinclination of traders to prosecute for forgeries on themselves, or to furnish the Bank of England with the means of conviction in cases where forged notes are uttered. There is no offence in which the infliction of death seems more repugnant to the strong, and general and declared sense of the public than forgery; there is no other in which there appears to prevail a greater compassion for the offender, and more horror at capital executions.'

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This language is so strong that it led us to expect nothing less than a recommendation from the Committee of an immediate and unqualified repeal of capital punishment in a case where they had denounced it as so peculiarly odious. In the very next page, however, the conclusion to which the Committee have come on this part of the criminal law runs thus:

'Private forgeries will, in the opinion of the Committee, be sufficiently and most effectually repressed by the punishment of transportation and imprisonment. As long as the smaller notes of the Bank of England shall continue to constitute the principal part of the circulating medium of the kingdom, it may be reasonable to place them on the same footing with the metallic currency; your Committee, therefore, propose that the forgery of these notes may, for the present, remain a capital offence; that the uttering of forged bank notes shall, for the first offence, be transportation or imprisonment; but that on the second conviction the offender shall be deemed to be a common utterer of forged notes, and shall, if the prosecutor shall so desire, be indicted as such, which will render him liable to capital punishment.'

Into what inconsistencies able men sometimes fall when they permit themselves to express their opinions on perplexed subjects, in a loose or vehement manner! To us it appears impossible that these two passages can stand together. The first of them ought perhaps to be judged of rather by the rules of rhetoric than of logic; but in the second, the Committee convey a recommendation, the result of which we suspect that they themselves did not fully understand. To ascertain what would be the exact effect of such an alteration in the law of forgery as the Committee have proposed, it should be known what proportion the persons executed for forging or uttering forged Bank of England notes, bear to those executed for forging or uttering promissory notes or other instruments of a private nature. We have not perceived any document among those printed by the Committee from which that proportion distinctly appears. In the elaborate tables given by Mr. Evans for the county of Lancaster, and printed in the Appendix at page 224, the offences of *forging and uttering bank notes*, which must mean Bank of England notes, as no other circulate in Lancashire, are entered in a separate column from the *forging and uttering forged bills and promissory notes*, which mean private bills and promissory notes; and the number of executions in the first of these columns between the years 1798 and 1818, amounts to 48, while in the second column it amounts to 5, or 1-10th of the whole. This would shew that 9-10ths of all the executions took place at the prosecution of the Bank of England. It is also stated by the Committee, at page 24, that but 2 persons were committed to Newgate in 1818 for forgery on private individuals, while by the tables,

tables, page 144, it appears that in that year 55 were committed in London and Middlesex for forging and uttering bank notes, and 97 for having forged bank notes in their possession. As far as any conclusion can be drawn from this, it shews the disproportion between Bank of England and private prosecutions for forgery to be much greater than we have above stated it. The evidence adduced by the Committee itself to prove the reluctance of private persons, and especially of bankers, to prosecute for this offence, renders it highly probable, that in all other parts of the kingdom there will be found to be the same disproportion between Bank of England prosecutions for forgery and those at the instance of private persons, which seems to exist in Lancashire and London. It may be suggested, however, that, allowing this proportion to be correct, it still remains undetermined how many of the executions procured by the Bank of England were for uttering forged Bank of England notes for the first time, which the Committee propose should no longer continue capital. But the executions for uttering forged Bank of England notes for the first time must be exceedingly few, if there are any at all. The tables at pages 128 and 132 of the Appendix shew the executions for forgery throughout England and Wales between 1810 and 1818 to have been to the convictions as 143 to 908, or less than 1 execution for 6 convictions; and Mr. Shelton, at page 23 of the Evidence, says that two indictments are usually preferred by the Bank, one for disposing of the forged note, which is capital, and the other for being in possession of the same note without lawful excuse, which is not capital; and the parties prefer pleading guilty to the minor charge, 'as they are aware that in 9 cases out of 10 the Bank 'will not prosecute upon the capital charge.' As the Bank is so lenient in prosecuting on the capital charge, and so small a proportion of those convicted are executed, there is every reason to believe, from the character and capacity of those intrusted with the administration of justice, that the worst cases meet with the severest punishment, and consequently that very few of those suffer capitally who have been convicted of uttering forged Bank of England notes for the first time. Whatever that proportion may be, a deduction of 1-10th from the whole number executed seems amply sufficient to cover it; and subtracting this from the 9-10ths already mentioned, there still remain 8-10ths of the whole number of persons executed for forgery in England and Wales, who appear to have been convicted as actual forgers of Bank of England notes, or as having more than once uttered them. It appears by the Appendix, page 132, that the whole number of persons executed annually for forgery in England and Wales, taking the average of the 14 years between 1805 and 1818, has been 15; 8-10ths of which amount exactly to 12; so that, provided Bank of England notes con-

tinue to form the circulating medium of the country in the way they now do, and which it may with tolerable safety be assumed they for a long while will, the result of the whole deduction now instituted is, that the Committee seem in effect to recommend a modification of the existing laws respecting forgery, by which 3 out of every 15 persons hereafter convicted for forgery would escape with transportation or imprisonment, while the other 12 would continue to be consigned to death as heretofore, for an offence respecting which the Committee itself has pronounced that there is none 'in which the infliction of the punishment of death seems so repugnant to the strong and general and declared sense of the public, and that there is no other in which there appears to prevail a greater compassion for the offender, and more horror at capital executions.' Should there be any misapprehension or miscalculation in what we have now said, the inferences we have drawn must of course fall to the ground; but if there is really that discrepancy which we suppose between the two extracts made from the Report, they furnish a striking illustration of the mischief which may arise from the introduction of overcharged expressions into any part of the proceedings of a legislative Committee. Such language is sure to catch the attention of many who overlook or disregard the limitations or explanations with which it is afterwards coupled; and, by the appeal which it makes to the passions, is in the highest degree unfavourable to the undisturbed exercise of the understanding, which ought then to be alone consulted.

What we have now mentioned does not appear to be the only oversight the Committee have made on this subject. Through the whole of their inquiries with regard to forgery, a want of circumspection is observable, as well as a deference shewn to popular clamour, which is much to be regretted. Nothing else could have led the Committee to attach so much importance to the management and result of the Bank prosecutions for forgery which took place in 1818. The cause of the outcry then raised was probably little understood, and at any rate had scarcely any perceivable connexion with the general question about the propriety of capital punishment for forgery. The most extravagant statements of the number of those who suffer for forgery, or the uttering of forged notes, at the prosecution of the Bank of England, were circulated and believed; and even though no prejudice had in that way been excited, there is as satisfactory proof as the nature of the case will admit, that the acquittals, which then took place, arose from an unaccountable refusal of the Bank to produce the usual legal proofs of guilt; from a suspicion generally entertained that the Bank had not taken suitable pains to secure its notes against imitation; and also from a belief, which obtained credit among certain

classes of the community, that an unfair selection was made of the offenders against whom the capital charge was preferred by the Bank officers. We find, accordingly, that since the Bank has become less overhearing and more vigilant, the attacks then directed against the laws for forgery have ceased, and that the objections now made to them are urged with the calmness and moderation which will best promote the advancement of truth in every kind of intricate discussion.

The Committee have also thought proper to make minute inquiries into the effect of executions upon prisoners and spectators, and into the judgment which convicts pronounce on the comparative aggravation of their own and of each other's offences. To us it appears, that whatever purpose, practical or theoretical, this course of investigation was intended to serve, it is one upon which the Committee would have judged wisely had they never entered. With regard to public executions, we believe that, in all ages and countries, the good effects produced upon those whom curiosity has collected to witness them have been extremely limited. Their utility consists more in the tone they give to the conversation in the neighbourhood, the circumstances by which they are preceded and accompanied, or the lessons of parents, guardians or masters addressed to those under their charge, to which they afford occasion. It is true, that in districts where population is thin and virtuous, and executions rare, a considerable part of the spectators may retire to their homes with impressions of salutary horror; but we have no conception that this is now the case in many parts of England, and are satisfied of the justice of the opinion expressed by Mr. Brown, the present Keeper of Newgate, at page 68,—‘that many of those who attend executions are of the most depraved and abandoned character.’ And yet Mr. Buxton, one of the members of the Committee, in a debate which occurred in the House of Commons on the subject of capital punishment, relied upon the cry of ‘shame, shame,’ which was raised by the crowd assembled in front of the Old Bailey to witness the execution of Cashman who was convicted of robbery in 1817, as an unequivocal expression of the general sentiment respecting the undue severity of the present administration of criminal law. In the estimation of the sober and judicious, Mr. Buxton will not be thought to have advanced his argument, by exalting such an assemblage into judges of what was right and wrong on such an occasion. With just as much propriety might the shouts with which the rabble in front of the hustings in Covent-Garden rend the air on the delivery of a speech in favour of radical reform, be quoted as a sample of the applause or approbation which the same sentiments would draw from the general body of electors throughout the empire. Instead of pre-

venting crimes, the evidence heard before the Committee leads one, on the contrary, to believe that executions encourage them, and that it would be better if they took place within the prison walls than without them, were it not that publicity in every step of the progress of justice seems the best safeguard for its due administration. Nor is it obvious how prisoners should be able to form a better estimate of their own or of their neighbours' guilt, than the groups who assemble at an execution. We can perceive many reasons why the judgment of criminals should be worse than that of those who have never swerved from rectitude, but none why it should be better. It is to be feared that most of those who become criminal themselves, or have been compelled to associate with criminals, lose that abhorrence of guilt, which is felt by the uncontaminated part of society, without acquiring any peculiar capacity for measuring its gradations of enormity. That criminals should make many shrewd and correct observations, both on themselves and their companions in vice, is exceedingly natural; but that they should evince extraordinary impartiality or delicacy in their perception of the degrees of guilt, neither has been, nor, we suspect, can be established. The Rev. Mr. Ruell (p. 70) says, that convicts 'are willing to make general confessions of guilt, but discover a very strong propensity 'to extenuate their individual offences.' The Rev. Mr. Cotton (p. 62) confirms the fact, and gives an example of the acuteness with which, in their own case, convicts are capable of urging that extenuation. That many of them before execution unburthen their minds with great sincerity and candour, we willingly believe; but so far are we from joining in that unreserved assent which the Committee seem disposed to yield to the correctness of their general statements of fact and opinion, that, in a large proportion of instances, we fear there is not the smallest reliance to be placed upon their most solemn dying declarations.

Having stated upon what grounds we doubted whether the Committee themselves had yet formed any consistent notions about the proper punishment for forgery, and the purity of some of the sources of information to which they have resorted in order to obtain them, we come now to the only part of the evidence from which any sound inference respecting the state of public opinion on that subject can be drawn. It consists of the testimony of 4 merchants, Messrs. Goldsmidt, Wood, Wilkinson, and Foster; and 8 bankers, viz. Messrs. Foster, Fry, Smith, Hoare, Barnett, Bentall, Gurney, and Birkbeck, the first five of whom are bankers in London and the others bankers in the country. Some of these gentlemen bear witness to the reluctance which is felt by the public to prosecute capitally in any case whatever; but the observations of all of them are confined principally, and of most of them exclusively, to the

the crime of forgery. There can be no doubt that they are persons well qualified to give evidence on such an occasion; and their almost unanimous opinion is, that it would be expedient to visit forgery and the uttering of forged instruments with some punishment less than death. There is at the same time a remark of Mr. Hoare's respecting reluctance to prosecute, which goes far to explain the testimony of all the bankers called, and of many of the other witnesses who have borne testimony to the general reluctance to prosecute in cases of forgery:—

‘In the first instance there are their own feelings; their unwillingness for the sake of property to take away the life of a fellow-creature; added to their unwillingness, the intercessions which are almost invariably made by the friends and connections of the bankers, for the individuals committing forgeries are generally well known to the parties concerned, and though they may feel comparatively little reluctance in punishing strangers with death, yet when they are in habits of intercourse with the friends of the individual who has committed the offence, it becomes far more painful.’—p. 145.

We cordially assent to the truth of what Mr. Hoare has here said, and may take this opportunity of mentioning, once for all, that one of the points which appears most prominently in view throughout the evidence detailed before the Committee, is the non-existence of a public prosecutor. On this subject we neither entertain nor feel ourselves qualified to form any opinion, and considering the change it would make in the administration and operation of criminal law, we believe it to be one of the most difficult questions which could be laid before any body of men for their determination, whether it would be wise to appoint such an officer or not. We merely allude to the irresistible manner in which it forces itself upon the mind in the course of almost every deposition which has been given. But as, in point of fact, there is not now any public prosecutor, reluctance to prosecute on the part of private persons is not by any means surprising. It always causes more or less loss of time, expense, inconvenience, disagreeable publicity and intercourse; and, if conviction and execution should follow, however atrocious the criminal may be, his fate must always create a painful sensation in the mind of the prosecutor, and sometimes a permanent impression that the blood of the man, who by his means has fallen a victim to the laws, will rest on his head for ever. These circumstances combined will account for much of that repugnance to prosecute, and the distress experienced after conviction, which the witnesses have so amply testified. Instead of this repugnance being peculiar to England, we believe there is no civilized country in which it has not uniformly been found to exist. The odiousness of the office of a common executioner is proverbial;

and few people can be induced to perform it, though every one is sensible that it is innocent; as well as indispensably necessary. The feeling is the same in kind, though infinitely lower in degree, which prevents private persons from becoming prosecutors. Where a public prosecutor is appointed, or where any class of individuals act in that capacity, as Mr. Evans says the magistrates' clerks do in Lancashire, the responsibility belonging to their office diminishes or removes the obloquy which would otherwise attach to it; and the same remissness in prosecuting would be esteemed a dereliction of duty in them, which in the case of private persons would be reckoned an act of laudable forgiveness.

Neither ought it to be altogether overlooked, that what the witnesses have told the Committee they have been prompted by their own feelings to do, or what their friends have told them they would have done had they stood in their place, falls very short indeed of a deliberate opinion respecting the punishment which they think ought to be affixed by law to the several crimes of which they had been speaking. Had an aggravated case of the offence in question been propounded to them, and had they been interrogated strictly whether, in their judgment, capital punishment ought not in any such instance to follow, perhaps a different complexion would have been given to their depositions from that which they now wear. In the crime of forgery, which we are at present considering, this defect is peculiarly discernible. There is scarcely any crime, about the punishment for which people differ so widely. Some think that forgery, or the uttering of forged instruments, ought not to be capitally punished in any case whatever; others, that capital punishment ought to be limited to the forging of bank notes alone, which is an act implying extraordinary deliberation and contrivance, or to those instances where the crime has been committed to a large amount, where the offenders have been of bad character, or previously convicted of the same offence. It was manifestly material that the most precise questions possible should have been put to the witnesses, and equally precise answers exacted from them on each of these points, in order to ascertain the true state of their sentiments on the subject. Even if all the witnesses examined had unanimously objected to capital punishment, we should still say, that in a country where commercial confidence is carried to a pitch unparalleled in any other, a more extensive inquiry than that which the Committee has instituted, is indispensably necessary to settle on which side the preponderance of public opinion lies. There are 71 banking-houses in London, the partners in which probably amount to 284, and at least 250 houses in the country, whose partners may amount to 750 more, making altogether 1034, in addition to perhaps 100,000 considerable manufacturers

manufacturers and merchants; and, we trust, the legislature will not be satisfied that the jury of 12 men who have been examined, however respectable they may be, are sufficiently numerous to answer for so large a body in a matter of so great moment.

We have thus taken a cursory view of each of the sections into which the Report is divided, and of the alterations commended for adoption.

II. We come now to the consideration of the further changes in the punishment of crimes which the Committee have in contemplation, and which we are inclined to regard as a part of their Report in no respect less important than that we have already noticed. 'The object of the Committee,' they say at page 3, 'has been to ascertain, as far as the nature of the case admitted, by evidence, whether, in the present state of the sentiments of the people of England, capital punishment in most cases of offences unattended with violence, be a necessary or even the most effectual security against the prevalence of crimes.' They add, at page 7, in speaking of the present state of the punishments of transportation and imprisonment, that 'in the more improved condition in which the Committee trust that all the prisons of the kingdom will soon be placed, imprisonment may be hoped to be of such a nature as to answer every purpose of terror and reformation.' The end and object of the Committee, or of its leading members, is thus distinctly announced, and unless we have misapprehended their expressions, we conceive them to involve these two distinct propositions:—

1. That the body of evidence annexed to their Report satisfactorily proves the general feeling of the people of England with respect to the present state of the criminal law; and, 2. That the punishment of death may hereafter be completely superseded by the judicious application of transportation and imprisonment. On each of these two heads we shall offer a few observations.

1. The first head to be adverted to is the body of evidence annexed by the Committee to their Report, which, in their apprehension, satisfactorily shews the prevailing feeling of the public to be adverse to the tone and substance of the present Criminal Laws. Of these laws we have already intimated that we should not wish to be ranked among the undistinguishing admirers or defenders, and on that account feel some anxiety to avoid the imputation of any wish to undervalue the labours of the Committee to improve them. Of the value of the documents contained in the volume of which they have put the House and the public in possession, we have already expressed our opinion. We may now add, that the minutes of evidence comprise a number of unconnected facts and observations, of which much use may be hereafter made; and the testimony of four or five witnesses, whose sentiments and informa-

tion on various branches of Criminal Law are undoubtedly valuable. But farther than this we cannot go; and with all the respect which we feel for the reputation and talents of many gentlemen whose names appear on the Committee, or of those among them who are understood to have conducted its proceedings, we cannot help regarding the evidence hitherto collected, as indistinct, partial, and inconclusive.

By indistinctness, we mean the difficulty which we have in collecting the precise opinion of any single witness, or the result of the testimony of the whole of them, on some of the most important matters under investigation. We are presented with a mass of facts, discussions, and conclusions, all of them unquestionably bearing upon Criminal Law, but the exact import of which it is extremely perplexing to discover. The Committee sometimes failed to keep in mind, that their chief object was to discover the general sentiments of the people of England respecting the whole, or the most material of the criminal statutes now in force; and in an inquiry so much more extensive and important than those which are usually prosecuted before the House of Commons, the questions and the answers could not have been made too concise or particular. It might even have been advisable to have a list of common interrogatories, which should have been put to each of the witnesses as they presented themselves before them. Instead of this, the evidence of Sir Archibald Macdonald, Mr. Montagu, Mr. Harmer, and even that of Mr. Evans, though by far the most important which has yet been communicated to the public on the subject, shews the extreme licence in which the Committee indulged the witnesses in the order and form of their communications. The very first question put to Mr. Montagu is expressed in the following terms of obliging and convenient latitude, 'The Committee wish to know what part of your extensive observations of the administration of the Criminal Laws you are now ready to communicate to the Committee?' To which, when it comes to his turn, Mr. Montagu makes this courteous and accommodating reply, 'I am willing to communicate any thing and every thing I know that they think proper to request of me;' and then proceeds to give a compressed statement of the scattered information which he possessed upon the subject, in consequence of his reflection upon it for, he rather thinks, upwards of twenty years; and yet, strong as the reasoning of Mr. Montagu is against capital punishment generally, we are not aware that he has explicitly stated his opinion on any specific crimes, except those of forgery, larceny without violence, and a bankrupt's fraudulent concealment of his effects from his creditors. Most of those witnesses, on the other hand, who do not indulge in general discussion, but confine themselves

selves to answers to the questions put to them, after expressing unqualified general disapprobation of the severity of the law as it now stands, very often add, that except in those cases which they have mentioned, *and some others, or with some exceptions, or in atrocious cases*, capital punishment ought not to be inflicted. In all probability, no two persons will agree upon the exact offences which ought to be comprehended under these expressions, and the witness would most likely have been himself embarrassed if he had been requested to proceed to a specification of them. A great deal of time and trouble is no doubt saved to the Committee by the use of indefinite language, but it detracts extremely from the value of evidence when it comes to be minutely sifted. We beg it may not be understood that we attach any very high degree of importance to that defect in the evidence which we have now pointed out. We only say, that we felt it ourselves to be a very considerable one, and suspect it will be equally experienced by most of those by whom the evidence is attentively perused. Wherever it occurs it keeps the mind of the reader constantly on the stretch, in order to discover whether he understands the witness or the witness understands himself, and never fails to injure the weight and satisfactoriness of the testimony in which it is discernible.

The next objection we have to the evidence is, that it is partial. In making this observation on the depositions made before the Committee on Criminal Laws, we feel no hesitation in expressing our conviction, that in no part of the world and on no subject is it possible to assemble witnesses more distinguished for intelligence and veracity than in this country, and no where has more valuable information been collected than by some of the Committees which have been appointed by the Houses of Lords and Commons within the last thirty years. As instances of this, we need only quote the Committee of the House of Commons on the Orders in Council in 1807, on the Leather Trade and on Bullion in 1812, on the limitation of hours of work in Cotton Manufactories in 1817 and 1818, that on the Climbing Boys' Bill last year in the House of Lords, and that in the House of Commons on the State of the Roads, which sat in the course of the same year. But a just estimate of the powers of a Committee of either House in exhausting a subject, can only be made when a considerable number of the members who take an active part in its proceedings differ in opinion on the points which they are deputed to investigate. Where this is not the case, the member who moves for the Committee, along with two or three friends whom he procures to be nominated upon it, because he knows their general views on the subject square with his own, have the uncontroled management of the inquiry, and, by selecting witnesses whom they believe to be favourable, and passing
over

over those whom they suspect to be adverse, they obtain a body of facts or opinions which can be regarded in no other light than as the strongest ex-parte statement which can be made in support of the measures with which the report of the Committee is afterwards intended to be followed. On the present occasion, the Committee consisted of the following persons: Sir James Macintosh, Chairman, Mr. Bathurst, Mr. Scarlett, Mr. Attorney General, Mr. Wilberforce, Lord Nugent, Mr. Solicitor General, Mr. Abercrombie, Mr. George Granville Venables Vernon, Mr. Alderman Wood, Sir Charles Mordaunt, Lord Althorpe, Dr. Phillimore, Mr. Finlay, Mr. Fowell Buxton, Mr. Courtenay, Mr. Brougham, Mr. Williams Wynn, Mr. Littleton, Mr. Macdonald, Mr. Holford, and Lord John Russel; many of them as enlightened men as could have been intrusted with the examination of a serious subject.

The names are so numerous as we find them, in compliance, we presume, with long established parliamentary usage; but why that usage should be now continued we do not know. In former times, when debates were rare, inquiries slight, and business scanty, it might have been thought proper to dispose of large bodies of members on one Committee, by way of giving each of them something to do if they were disposed to it; but when the business which the House has to dispatch is perhaps ten times as great as it was a hundred years ago, it seems reasonable that a subdivision of labour should take place, and that a host of names should not be entered on one Committee, though it is perfectly certain to happen, as we have understood it did in the present case, that for all useful purposes the greatest part of them will prove non-entities. The Report made, however, is still the Report of the whole Committee, and the circumstance which we consider fraught with mischief is, that with a knowledge of the fact full before them, we constantly see the House, by the most inexplicable fiction, endeavouring to persuade itself, the House of Lords, and the public, that a Report so made ought to possess the same authority which the united talents and experience of all whose names are entered upon it could have commanded, if they had given it their undivided attention.

Whether it was wise to grant that sort of Committee, it is not our business to inquire, but having once been granted, we decidedly think, that the safest course to pursue, was to enter at once upon a full and fair examination of all the matters referred to the Committee, however laborious and tedious it might have proved. There is every appearance, however, that the mover of the Committee and his friends have had the uncontroled guidance of its proceedings after its appointment; and by these means those members of it who in private might not altogether approve of the course pursued, have yet, by

neglecting

neglecting all interference, permitted a volume of testimony to go forth to the world, which will have sunk deep into the minds of many before it can be either explained or contradicted. If there are any persons who think that one or two votes of the House of Commons, or both Houses of Parliament together, can place things on the same footing on which they stood before this inquiry began, we suspect they will find themselves egregiously mistaken. That the minds of the witnesses examined were not, in general, in that perfectly unbiassed state which the object of the Committee imperatively demanded, repeated perusal of the whole of their depositions has convinced us; and we are pretty confident that few of our readers, who take the trouble minutely to examine it, will differ from us in opinion. The only witnesses, as far as we recollect, whose testimony can be regarded as perfectly neutral, are Sir Archibald Macdonald, Mr. Evans, and those gentlemen whose evidence, in consequence of the situations they held in criminal courts and prisons, or the papers they were called upon to produce, could not easily have been dispensed with. With regard to the rest, we have no disposition to deny that the evidence they have given is entitled to much consideration. We only allege that it is obvious from the whole tenor of their examinations, that they are strenuous abettors or propagators of a certain set of opinions; the soundness of which, and the extent to which they prevail throughout the country, were the very points which the Committee had to determine; and consequently, as they are in some degree parties as well as witnesses, their testimony cannot be entitled to the same weight which that of persons of the same degree of understanding and veracity would have deserved, who had never taken any active interest in the subject.

Neither have the Committee informed us, which one would think it was natural for them to do, by what accident they assembled a cloud of witnesses whose opinions so exactly tally; the selection of whom seems, from their habits, place of abode, and profession, to have been so capricious; and between whom and the Committee such constant harmony of sentiment prevailed, that when on one occasion (page 24) it was disturbed by Mr. Shelton, Clerk of the Arraignments at the Old Bailey, who appears rather hostile to the new doctrines respecting Criminal Law, the impatience into which the Committee seem to have been betrayed marks the unwelcomeness and rarity of such an occurrence. Unless the greater part of them are members of the society for the improvement of prison discipline, or linked together by some social or religious tie, it appears to us inexplicable how the Committee could have alighted on so many individuals so admirably adapted to their purpose. If there is any such cause of union there would have been

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no harm in divulging it. It is the concealment of it, on the contrary, which creates distrust; for we naturally suspect there must be some end to serve by withholding a knowledge of the means by which a number of persons, unlikely to meet, have been brought together; and there are certain coincidences in the minutes of evidence, which lead one to believe there is some such bond of connection among the witnesses as we have supposed. At page 65, Mr. John Smith alludes to conversations he has had with Mrs. Fry, whom we conceive to be the lady of that name so well known by her beneficial labours in Newgate; and again, at page 64, he speaks of destroying forged instruments, which may possibly be the same which Mr. William Fry, at page 74, and Alderman Wood, at page 86, allege to have been swallowed by the person forged upon. Another incident of the same sort occurs at pages 86 and 87, which contain the examinations of Alderman Wood and Mr. Wilkinson, a merchant in the city. The first question put to Mr. Wilkinson is, 'Have you had any experience on the subject in question?' To which he replies, 'I can bear out the assertion of Alderman Wood,' alluding to reluctance to prosecute; and then he gives an instance of the refusal of his own firm to prosecute, though robbed of £1000. This is the whole of Mr. Wilkinson's deposition. He is, however, afterwards asked, 'Do you happen to have heard any thing of the same sort from persons among whom you live?' To this he answers, 'Oh dear! yes; not expecting to be examined, I cannot call to mind particular instances; but I have observed a general unwillingness where the consequences were so serious as death.' How then came he to be examined at all? We are obliged to suppose either that the Committee converted a gentleman, who happened to wander into the room in which they were sitting, into a random witness, or that such instances of unwillingness to prosecute were so rare, that Alderman Wood had prevailed upon him to walk down to Westminster to make an offering of his fact to the Committee on Criminal Laws. The case of Mr. Johnson, at page 100, is still more curious. The first words addressed to him by the Committee are these: 'You were going to relate a case which occurred to yourself connected with the subject of the present inquiry.' This is not the usual way in which an examination begins, and looks as if Mr. Johnson had been in such haste to get away, that he had begun to speak before he was spoken to, or that in some way or other, there had been a previous rehearsal of his testimony. Many other peculiarities of a similar nature occur throughout the Report.

The manner and form of putting the questions, too, is remarkable. It rarely happens that they are so expressed as to involve an aggravated case of the offence inquired about, to shew the

previous

previous character of an offender, or the shock which society or commerce might sustain should the multiplication of any particular sort of crimes be the consequence of the abolition of capital punishment. From the vague and distant manner in which they are proposed, it looks as if the Committee were in perpetual fear of obtaining an answer or detecting a fact unfavourable to an alteration of the existing law. Mr. Hobler, at page 84, had said a good deal about prosecutors forfeiting their recognizances rather than prosecute; and Mr. Harmer, at page 108, roundly asserts that he had known them 'frequently forfeiting their recognizances.' Mr. Shelton, who, from the length of his experience at the Old Bailey, must know more on the subject than almost any other person, in reply to an interrogatory to the same effect, answers 'no, I do not recollect one.' The contradiction between these two answers is direct and complete; and a reference to the Exchequer Office, where the estreats are returnable, would at once have settled which of the statements was correct. The Committee did not think proper to make it, though we conceive it was well worth their while, both on account of the importance of the fact itself, and of the way in which the testimony of one or other of the witnesses would have been affected. The following extraordinary query is also addressed by the Committee to Sir Archibald Macdonald. 'The people of England, being as moral and religious a people as any in the world, do you think that the phenomenon of the number of crimes results from the severity of the laws?' We cannot conceive the beginning and end of a question to be more completely at variance. If the people of England are really as moral and religious as any in the world, which they are assumed to be, the extraordinary number of crimes which they are at the same moment assumed to commit, appears, in our apprehension, not only to amount to a phenomenon, but an impossibility. That the higher and especially the middle classes in England are as moral and religious a people as any in the world we conscientiously believe; but with respect to the present state of a large proportion of the population, if any one, after comparing them with those of the same rank in many other nations in Europe, should still persist in maintaining their equality, the number of crimes is the fact which of all others would most effectually call it into question. But it was not for the purpose of indulging in this kind of criticism that we quoted this question. We have done so, because we think the terms in which it is put, evince a partiality in the minds of the Committee at a very early period of their sittings, which augured ill for the candid prosecution of the inquiry. But they have done more than this. They have not only availed themselves, to the utmost, of witnesses who are favourable to the extreme mitigation of the penal code, but we think they

they must intentionally have avoided all such as were adverse. On many points they could not but know that diversity of opinion prevailed: their own witnesses have repeatedly averred it; and the Report itself involves the existence of the fact. Thus Mr. Barnett, at page 83, after declaring himself averse to capital punishment for forgery, adds 'there are bankers who hold different opinions.' Jennings, page 103, alludes to 'many societies for the prosecution of felons in various parts of Somersetshire;' and Mr. Garrett, at the bottom of the same page, speaks of the objection to capital punishment as hitherto only 'very generally diffusing itself among all classes.' There could, therefore, have been no difficulty in reaching some individuals who still believe in the wisdom of the old law; every member of the Committee could probably have mentioned scores of bankers and merchants who do so; and it would have been manly and becoming to hear what they had to say in justification of their sentiments. Should it be alleged that the Committee were at liberty to choose whatever witnesses and mode of examination they judged most expedient for effectuating their object, we admit that, under other circumstances, it would have been an unanswerable exculpation. Some of the noblest victories ever gained by wisdom and humanity over ignorance and prejudice, have been achieved by the persevering efforts of a few individuals, who, acting singly or conjointly as necessity required, have at last succeeded in arousing in the public mind a zeal for interests or doctrines which it had previously overlooked or disregarded. But in those cases the point proposed was to do that, which in the case before us, is assumed to be already done. The duty delegated to the Committee by the House, and which they themselves have distinctly recognized, was to prove what the existing sentiments of the people of England respecting criminal punishments at this time are, and in no respect to convert the Committee itself into an engine for changing such sentiments into what they ought to be. On the purity of the motives of the Committee no reflection is intended to be cast; but we regret they should ever have overstepped the limits of the province allotted to them, as the bias they have displayed will ultimately weaken instead of strengthening their cause, and may hereafter prove an obstacle to more cautious improvements.

The last general imperfection attributable to the evidence adduced by the Committee is, that it is insufficient.

The whole number of witnesses called by the Committee amounts to 61. From these Messrs. Hobhouse, Chambré, Woodthorpe, Stirling, Woodthorpe, jun., Capper, Edgell, Pugh, Clark, and Knapp, making 10 in all, ought to be deducted, as they only appeared at the bar of the Committee to hand in official documents.

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To these Mr. Torin may be added, as he was only called to give information respecting Potter who was executed for cutting down trees.

Other 10 hold offices either in criminal or police courts, or gaols, viz. Messrs. Ruell, Cotton, Brown, Newman, W. L. Newman, Payne, Thompson, Yardley, Hobler, and Shelton. Mr. Cotton, Ordinary of Newgate, Mr. Ruell, Chaplain of Clerkenwell, and Messrs. Newman and Brown, the late and present keepers of Newgate, were examined chiefly respecting the effect of executions on spectators, prisoners, and convicts. They all agree that executions have no effect upon spectators, and very little upon convicts themselves or their companions in prison. They add, that in murder, unless popular prejudice intervenes, both spectators and prisoners approve of capital punishment, but disapprove of it in cases which are said *not to be of an aggravated description*, and especially for issuing forged bank notes. Whether this disapprobation extends to forgery itself, the witnesses do not altogether coincide in their testimony. We have already noticed the little reliance which can be placed upon the declarations of those classes of persons concerning whose sentiments these four witnesses were examined, and have nothing to add to what we then stated. Messrs. W. L. Newman, Payne, Thomson, Yardley, Hobler, and Shelton, are all clerks in public offices connected with the administration of criminal law, and are examined about matters of a very miscellaneous nature; but principally about the reluctance manifested by prosecutors to proceed capitally, and the conduct of witnesses and juries in cases where capital proceedings have been instituted. These witnesses possess very different degrees of capacity and experience, as any one who looks over their evidence will perceive, but there seems no necessity for going through it in detail. They all agree that in cases of stealing from the shop to the amount of five shillings, and from the dwelling house to the amount of forty, a disinclination in prosecutors to proceed, in witnesses to appear, and in juries to convict, is unequivocally manifest. We perceive no reason, however, to believe, that it is a frequent occurrence for juries, in any case, to perjure themselves by acquitting prisoners in direct contradiction to the evidence, as one or two of the witnesses have rashly asserted. Some of them add, that there is the same disinclination to prosecute in burglary, or at least in some sorts of it. Mr. Hobler, at page 83, speaks of the reluctance to prosecute capitally being general; but it is not clear what he actually meant by the assent given to the question put to him. These witnesses, as might have been expected, are also asked about reluctance to prosecute in forgery; but we do not think their testimony establishes its existence nearly to the extent which might be inferred from the Report of the Committee.

mittee. On the contrary, Mr. Shelton, who has filled the office of clerk of the arraigns of the sessions of oyer and terminer and gaol delivery at the Old Bailey ever since the year 1784, denies positively that he has perceived any such reluctance at all; and from his ability and experience we should reckon his testimony on this and most other points on which he was examined, the most valuable given to the Committee next to that of Mr. Evans.

The next witnesses we shall class together are or have been in the profession of the law, viz. Sir Archibald Macdonald, and Messrs. Evans, Montagu, Carr, Mainwaring, Harmer, and Dr. Colquhoun and Lushington. The names of the first three have been introduced already. Sir Archibald Macdonald and Mr. Evans have been examined upon so many points, that it would be difficult to range their testimony under distinct heads, but, unless we are much mistaken, it by no means warrants the chief alterations in the Criminal Law which the Committee have in contemplation. That of Mr. Montagu, as far as we understand it, coincides in all points with the views of the Committee. Mr. Carr, solicitor of excise, confines his observations to the impropriety of punishing certain offences against the excise laws with death, instead of proceeding against them by means of fines and penalties; and from the guarded manner in which his testimony is given, and the strictness with which he confines himself to the matters which come peculiarly within his observation, we are inclined to coincide in his remarks. In these respects his evidence furnishes a striking contrast to that of several of the other witnesses. Mr. Mainwaring, one of the police magistrates, says, that greater reluctance to prosecute exists in capital crimes than in those which are not capital, and that he has occasionally discovered a reluctance to prosecute for shoplifting and embezzlement in dwelling houses. He has had no cases of forgery before him excepting those of the Bank of England. In these he has occasionally discovered a reluctance in witnesses to give evidence, but that evidence relates only to the transit of the notes from hand to hand. He thinks that mitigation of punishment would produce more frequent prosecutions, and that 'for most offences' hard labour is the most effectual preventive. He adds, that capital punishment has not much tendency to deter London criminals, and that the best punishments now in use, are confinement on board the hulks and in the Penitentiary. This witness says nothing of reluctance to prosecute in forgery, false testimony given by witnesses, or false verdicts returned by juries; and though he states that *for most offences* hard labour is the best punishment, he leaves us in the dark, as many other witnesses have done, respecting the specific offences which he included under those terms. Mr. Harmer's evidence (who is a solicitor, and has been chiefly retained by persons apprehended

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bended for offences,) is decidedly favourable to the views of the Committee. He speaks in the strongest language of the reluctance to prosecute in forgery; he has, in such cases, 'frequently seen persons withhold their testimony, and in all capital indictments, with the exception of murder and some other heinous offences, prosecutors shew great reluctance to persevere, frequently forfeiting their recognizances:' and in the offences of stealing in shops and dwelling houses, it has, 'to his mind, amounted to demonstration that the articles were of such a value as imperiously called upon the jury for a verdict of guilty, and the instances, he may say, were innumerable, within his own observation, of jurymen giving verdicts in capital cases in favour of the prisoner directly contrary to the evidence.' The best punishment for thieves, he thinks the penitentiary or the hulks, but not transportation, or if transportation, only for life. He also intrepidly asserts 'that the punishment of death has no tendency to prevent forgery and no terror for a common thief.' Without wishing to depreciate Mr. Harmer's evidence, we cannot attach that importance to it which the Committee have done. He speaks in a manner much too incautious and unqualified; and his opinion respecting the inefficacy of the punishment of death is so directly at variance with the motives which have universally been acknowledged to guide human conduct, that we could not assent to it, though corroborated by all the thieves and forgers in the kingdom. Dr. Lushington only mentions some cases which fell within his own knowledge, of reluctance to prosecute for capital offences. The only remaining witness of this class is Dr. Colquhoun, the most material part of whose evidence is as follows:

'It has occurred to me that, except in cases of high treason, murder, sodomy, arson, and other offences accompanied with violence to the person, the punishment of death may be dispensed with under circumstances favourable to the administration of criminal justice.'

He had previously stated,

'My experience has led me to draw this conclusion, namely, that the punishment should be such as would answer the ends of justice; and that the sentence of the laws should be invariably (except in extreme cases) carried into execution. It is more than 23 years ago since I brought under the review of his Majesty's government and the public at large, a full exposition of my experience in respect to crimes and punishments, in my "Justice on the Police of the Metropolis," and suggesting remedies; and I have the satisfaction to know that whenever such remedies for the prevention of crimes were adopted, they have completely succeeded; almost every imperfection in the criminal code, and also in the system of police which has recently been disclosed in the parliamentary reports, will be found in that work.'—p. 65.

We shall leave the Committee in undisturbed possession of the benefit of Dr. Colquhoun's testimony, with whatever addition it may derive from their description of him, as having been 'for twenty-seven years a police magistrate in this capital, and well known by his publications on such subjects.' The doctor's publications are now known too well, and the experience, suggestions, and conclusions of which he speaks, valued too justly to require any comment.

To these witnesses may be superadded Mr. Martin, member for Galway, who declares himself a strenuous adversary to capital punishment, especially in forgery, robbery, burglary, larceny in shops and dwelling-houses, and stealing of cattle and sheep. He says a man would be hooted at in Ireland that prosecuted capitally in burglaries and robberies without violence; that sheep stealing and cattle stealing are very frequent in his part of Ireland, 'but a man would meet with great censure who would prosecute a man so as to procure him to be hung for these offences, and they are almost always prosecuted with a view to recommend the person to mercy, that he shall not incur that penalty. To which of those 3 offences does your observation most apply? To sheep stealing, I think, generally. But, in short, I do not recollect a person to have been executed in my country for sheep stealing; it is not in my recollection.—And yet it is a frequent offence? My estate is almost laid waste with it: people are afraid to put their sheep there at all, they are stolen so fast.—Would you prosecute with the utmost severity and industry if the punishment were any thing less than death? I certainly would desire of all things in the world to transport people where they steal sheep in great quantities, who make a trade of sheep stealing and do not take them for sustenance, I would certainly transport them.' As mild punishment has hitherto completely failed in checking the evil complained of, we expected the witness to propose that capital punishment should be tried to see whether it would succeed better; but the opinions he has expressed are so diametrically opposite to those which the facts detailed by him seem to warrant, that we surmise the sheep stealers of Mr. Martin's country are better acquainted with the principles of Criminal Law than the gentlemen whose sheep they steal. But whether this be so or not, it is surely not the least curious part of the Committee's proceedings, that, with the avowed object of ascertaining the sentiments of the people of England respecting Criminal Laws, they have not required or received the evidence of one owner or occupier of land in England, even with respect to the offences which chiefly affect landed property, and that the person whom they have chosen to enlighten them is a resident in one

of the most remote and, by his own confession, most disorderly districts of Ireland.

The next witnesses in order are the 4 merchants and 8 bankers, who were principally examined with respect to the punishment of forgery; the observations which occurred to us relative to their testimony have been given in considering the section of the Report exclusively confined to that subject, and we have nothing to add to what is there stated.

The last 19 witnesses consist of Mr. Baker, engineer at the Tower, and 18 tradesmen, viz. Josiah Condar, bookseller; Joseph Curtis, currier; Wendover Fry, type founder; John Gaun, general merchant and boot and shoe manufacturer; Richard Taylor, printer; James Soaper, profession not mentioned; Stephen Curtis, leather manufacturer; Ebenezer Johnson, ironmonger; Philip Jacob, ironmonger and stationer; Thomas Lewis, retired merchant; James Jennings, grocer; Samuel Garrett, insurance broker; Frederick and William Thornhill, hardwaremen; William Collins, glass manufacturer; and Sir Richard Phillips, bookseller and stationer.

What peculiarly qualified Mr. Baker to be a witness on this occasion, neither his profession nor his residence affords any clue to discover; but his evidence corresponds entirely with that of the other witnesses, whose names have just been enumerated. They mention a variety of instances in which they and their friends have refused to prosecute, on account of the capital punishment attendant on conviction, especially in cases of forgery and in stealing from shops and dwelling houses. Some of them say that these sentiments are rapidly diffusing themselves; others state their own general opinions respecting criminal law; and all of them concur in recommending either the extreme restriction or total abolition of capital punishment. Into a minute examination of the history of private individuals it is always ungracious and rarely justifiable to enter; but as these witnesses, not one of whom we have ever seen or known, have been brought into a situation, in which their declarations may materially influence important legislative measures, it is impossible not to feel that the public has now gained a right to inquire into their life and reputation, which it did not before possess. Some of them we believe to be persons of unquestionable respectability; but from the tone and language of the testimony which has been given by others, it is impossible not to entertain suspicion, that they are not the people to whom it was desirable to resort on such an occasion, and that they are either weak or disingenuous in a more than ordinary degree. In illustration of this observation, it was at one time our intention to have brought forward two of these witnesses as examples; by quoting in the first instance

stance part of a published speech of the late Sir Vicary Gibbs, when Attorney General, delivered in the course of a trial, in which he designated one of them who appeared as a witness, and perhaps with reason, as the 'weakest man that ever walked upon the face of the earth without a keeper!' and we might afterwards have given a detail of the circumstances attending a verdict of condemnation given in the Court of the Exchequer a few years ago, which followed the seizure of a considerable quantity of property belonging to another. As both of the proceedings now referred to occurred in courts of justice, we might legitimately have given to them any degree of publicity we thought proper. But as it is contrary to our wish that any comment, or opinion introduced in the course of this discussion, should receive any assistance by the exposure of individuals to derision or reproach beyond what our chain of reasoning absolutely required, however completely it may have been in our power to do so, or however justly they may have deserved it, we now think it better to abstain from specifying any thing more than the existence of the circumstances to which we have just adverted. To all those who are really interested in this inquiry, the hints we have now thrown out will make the argument we should wish to draw from them intelligible, and we do not desire to go one step further. The case last mentioned, however, appears to us, after the most scrupulous inquiry we have been able to make, and the most favourable construction we have been able to put upon it, to be one of so grave a nature and to bear so materially upon the value of the testimony of the individual whose property was seized, that we could not entirely forbear from alluding to it.

There can be no doubt, that after all the pains Committees can bestow in collecting individuals fit to appear and give evidence at their bar, they must often be egregiously mistaken. We only require, that with regard to the point in deliberation they should exercise unremitting and peculiar vigilance, which in justice both to respectable witnesses and the country they are bound to do. It is due to the witnesses themselves, in order that such of them as are unquestionably entitled to consideration, both in respect of character and understanding, may in no shape be coupled or have their names mentioned in the same breath with persons who possess no claims whatever to attention. It is also due to the country, in order that the bulk of the community, who naturally feel considerable deference for the opinions of those who have had the distinction of being examined before a Committee, should not incautiously be led to give credit to those to whom it is not truly due. The public will scarcely believe what whining language it is possible, in the present times, for a witness to

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dole out in the course of his deposition, and how dexterously he can adapt it to its end, by the discrimination, as well as delicacy, of the moral feelings by which it appears to be dictated, at the very moment that proceedings stand recorded against him, which, if generally known, would not only diminish the value of his testimony as a witness, but, in all probability, cause his services in that capacity, to be dispensed with altogether. Nor is it merely the common classes that may thus be led into error. Without alluding to the debates which have recently taken place on this subject, in either House of Parliament, we think we are justified in saying, that statesmen of the highest eminence in the country have thus, on some occasions, been led to rest no small part of their argument on a support, by no means worthy of the reliance placed upon it. Before quitting this part of the subject, we may also be allowed to add, that several persons belonging to the class of witnesses last mentioned, announce their opinions with a degree of self-sufficiency more befitting advisers of the Committee than witnesses before it; and seem to reckon themselves as well qualified to decide upon points of criminal jurisprudence as any members of the legislature. Those who inspect the evidence will judge whether the allegation we have now made is well founded or not, but if it is, it seriously concerns the public that no further encouragement should on any occasion be given to such a misconception. We hope we shall not be misunderstood. The objection we make to individuals in their sphere of life discharging such a function as that which they have here shewn a disposition to arrogate, by no means arises from its being a novelty, or because it might interfere with the privileges of those who count themselves their betters, but because we verily believe they cannot discharge it well or wisely either for themselves or the public. We mean no disparagement to any class of our fellow subjects; but we believe it to be irrevocably decreed, that few of those whose education and pursuits have been of a limited nature should be able to take as comprehensive a view of any system of law and policy as those who have been early trained to the task; and any attempt of one order of society to usurp the functions of another, can only end in the confusion and misgovernment of the state in which it is made.

We have now given as brief and correct an outline as we can of the contents of the evidence adduced before the Committee; and whether we consider the number, capacity, or situation in life of those who gave it, our expectations have been greatly disappointed. Only one ex-judge has been examined, and we do not think his answers can fairly be construed into an approval of the principal changes meditated. It is assumed however by Mr. Montagu, that Lord Bacon, Lord Coke, Sir Thomas More, and Erasmus, are all favourable to the views of the Committee; and the opinion of Sir

William Grant is said, in the beginning of the Report, to be to the same purpose. It must be admitted that no names could have been selected to which more universal deference will be paid. But after making considerable inquiry, we have not been able to discover any authority for the sentiments which have been ascribed to them. General observations, more or less strong, against injudicious severity of punishment they certainly have made, and nobody will dispute their soundness; but we can hardly think that any of them as discreet men, and four of them possessing the characteristic caution of lawyers, ever meant such expressions to amount to an approval of a vast specific change which there is no proof they ever had in contemplation. The Committee say they have not thought proper to call for the opinions of the judges who now fill the bench, as 'it appeared unbecoming and inconvenient' that those whose office it is to execute the Criminal Law should 'be called on to give an opinion whether it ought to be altered.' This, if sincere, appears to us to be mistaken delicacy. Their opinions might have been received in the manner most agreeable and respectful to themselves; and as to its being unbecoming or inconvenient for those who execute the law to give an opinion whether it ought to be altered, all who have any acquaintance with courts either of common law or equity must frequently have heard judges, in distinct terms, express a wish for the alteration or abrogation of laws which they felt themselves bound to execute; and though they had never done so in words, it cannot be concealed that they virtually do so by their practice. A judge on the circuit, who rescues a criminal from the gripe of a penal statute, may, and frequently does, give the world as distinctly to understand what opinions he entertains of it, as he could have done by the most formal declaration. By declining to consult the judges, it appears to us that the Committee have deprived themselves of the assistance of those who, unless they are unworthy to occupy the distinguished situation which they hold, are peculiarly qualified to instruct them.

We should also wish that the Committee had called in the aid of a greater number of lawyers, and especially of those conversant with the practice of criminal courts. We know it is a common objection made to lawyers, that they in general set out with narrow views of law, which practice afterwards only renders more contracted. The objection is perhaps carried farther than the truth will warrant; but, even if it were just, there is no fear that any opinions they might utter would carry greater weight than belonged of right to the reasons by which they might be supported. One benefit would certainly be derived from them. The very prejudices they are presumed to have contracted would render them more acute in detecting the difficulties attending any alteration of the old

old system; and circumspect legislators have always deemed an exact knowledge of the difficulties which stand in the way of reformation, one of the most effectual steps towards its attainment. Besides these, we should also wish to have known the sentiments of a variety of persons of all descriptions, both in town and country, who are likely to be affected by the great change in criminal law now in contemplation. Instead of this, there is not a single English gentleman, clergyman, magistrate, yeoman, occupier of land, or shareholder in any bridge, canal, or mining company, who has either appeared or been sought for. The only effective support on which the framers of the Report can rely, is derived from 8 bankers, 4 merchants, 18 tradesmen and shopkeepers, 1 equity lawyer, 1 retired police magistrate, 1 engineer in the Tower, 1 Old Bailey solicitor, and Mr. Martin, member for the county of Galway. On so slender a body of evidence as this, and so selected, we submit it to be premature to conclude what the general sentiments of the people of England on the different parts of the present criminal law really are; and in the last page of their Report the Committee intimate that they mean to add no more.

Nor have they. No fewer than 6 bills were in the course of the month of May, 1820, introduced into the House of Commons by Sir James Macintosh, for effecting all the alterations in the criminal law which the Committee recommended. The first of them was, for repealing the capital punishment now incurred by those who utter forged instruments knowing them to be forged, as well as those who are guilty of the crime of forgery itself, excepting however from its operation such persons as might forge promissory notes of the Bank of England, or as had been convicted at least once before of uttering them. The second, was for repealing so much of the 12th of Anne as takes away the benefit of clergy from persons stealing to the amount of 40 shillings and upwards in any dwelling-house or out-house thereunto belonging. The third, for repealing the 24 Geo. III. which takes away the benefit of clergy from persons stealing to the amount of 40 shillings upon any navigable river. The fourth, for repealing the 2d of Philip and Mary against Egyptians remaining within the kingdom one month; the 18 of Charles II. and 31 Geo. II. against notorious thieves in Cumberland and Westmoreland; the 9 Geo. I. against being found disguised within the mint, and 9 Geo. II. against the injuring of Westminster bridge. The fifth, for repealing the 10 and 11 William III. so far as it takes away the benefit of clergy from persons privately stealing in any shop, warehouse, coach-house, or stable, under £15, and for making such offence punishable by transportation for at least 7 years, or imprisonment for not more than that term; and the sixth, called the Capital Felonies Commutation

of Punishment Bill, for repealing the capital punishments imposed by 39 Eliz., 21 James I., 4 and 9 Geo. I., 5, 6, 26 and 27 Geo. II., and 22 and 24 Geo. III., which form the chief offences contained in the second class of those enumerated in the third section of the Committee's Report. As no notice was given of any of these bills being then brought into the House *pro forma*, in order that the principles or provisions of them might be discussed at a distant day, we conclude it was not intended by the mover that any of them should lie over for consideration till another season, but that they should all be forwarded into laws as speedily as possible. For reasons however with which we are not acquainted, it was found expedient to postpone the first three to another session. The acts repealed by the fourth, we have already given our reasons for believing to be unimportant, but such as ought no longer to find a place in our criminal code. The fifth, which raises the value stolen from a shop or warehouse from 5 shillings to £15 before the offence infers capital punishment, appears to us to be a material improvement upon the old law. Perhaps a clause might have been added, authorising the infliction of capital punishment where the criminal had been repeatedly convicted of acts of theft before. We could also have wished to see the judge's power of awarding transportation as a punishment a good deal limited, for of all offenders old thieves are the most unfit for being removed to a new settlement. The Capital Felonies Commutation of Punishment Bill may be said to be virtually postponed as well as the three bills first mentioned, as only 4 offences in it were suffered to remain out of the 11 whose punishment it proposed to commute, which were those relating to the unlawful carrying away of women, the helping to the recovery of stolen goods, a bankrupt's fraudulent concealment of his effects, and the destruction of certain sorts of works erected on canals and navigable rivers. The 7 main offences of which it would have commuted the punishment, every one of which we should deem important, were, after a considerable struggle, expunged from it in the House of Lords, which on this occasion again acted as a floodgate against the tide of legislation which is now rolling so impetuously through the House of Commons. The whole of the original clauses, however, with the exception of some conversation which occurred at its second or third reading, passed through that branch of the legislative without a single remark, and met with as little resistance in their progress to the upper House, as if they had been matters of course or supported by an overwhelming weight of reason and authority.

We had occasion, among some considerations which we lately offered on the state of the statute book, to advert to the facility with which laws are made. That any enactment of which the nature

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ture is not well understood should be suffered to creep unperceived into the list of public laws, is in itself an evil of no mean magnitude; but it becomes still more alarming, when it is considered, that it of necessity paves the way for the admission of others yet more questionable which may be prepared to follow. With no reverence whatever for the declamation or discussion which many speakers in our legislative assemblies waste upon the measures before them, we still feel that the public has a right, before any of its fundamental laws are altered, to be favoured with a succinct exposition of the reasons which may be urged for and against them. Though it be true, as Sir Samuel Romilly has implied at page 4 of his *Observations on the Criminal Laws of England*, that they do not form 'that regular, matured and well-digested system' which some have imagined, yet when a connected body of statutes have for a great length of time received the sanction of persons well qualified to pronounce upon them, and obtained the express or implied acquiescence of the great majority of those who are subject to their operation, we do not think it wise to stultify those by whom they were enacted, by a silent and rapid revocation of them. What the cause of the fact is we do not know, but it too often happens that unless a bill in dependence in the Commons touches the individual members, their friends or their party, or is expected to call forth an agreeable speech, or forms the theme of conversation in the clubs in St. James's Street, the discussion to which it gives rise is heard with impatience or not heard at all. In making this statement it is far from being our wish to detract from the dignity of an assembly we value so highly. We only announce a truth which is perceived by all, and more distinctly admitted by none than by the members of the House themselves. Our object is, as far as our circumscribed sphere and faculties will permit, to awaken a more just idea than we believe yet prevails of the extended mischief which this apparent negligence creates, and what is yet of greater importance, to produce a sincere conviction in the minds of those whom it most concerns, of the urgent necessity of correcting it. The House of Commons seems now to stand in a situation, in which much may be gained, or a good deal lost which will not easily be recovered. Unless means are adopted for securing to the dry but really important measures which are brought before the House their due share of attention and examination, we cannot see how the laws and business of the country can be prevented from being involved, at no distant period, in a state of confusion which it is painful to anticipate, and of which the consequences will only be fully developed when they have become irremediable.

2. The second and last general proposition intimated in the Report

Report is, that the punishment of death may hereafter be superseded by an improved system of transportation and imprisonment.

It is now somewhat more than half a century since Beccaria published his *Essay on Crimes and Punishments*, one of the earliest works by which the attention of the world was much drawn to criminal jurisprudence, and in which the necessity of the infliction of death, in any case whatever, was first distinctly called in question. This treatise contains many acute and just general observations, but applies chiefly to the codes of criminal law which at the date of its appearance were in force throughout the states of Italy; and its principal value, in the present day, must be admitted, even by its greatest admirers, to consist not so much in what the author has himself done, as in what he has taught others to do. His well-founded aversion to the cruelty which marked the administration of criminal justice in his own country seems to have driven him to an opposite extreme, and he now and then suffers language to escape him, which cannot fail to bring the whole of his doctrines into suspicion with those who reverence the foundations on which the good order of society has hitherto been supposed to rest. Such as his doctrines were, however, they were approved and followed by some of the most popular and powerful princes then reigning in Europe. The Grand Duke Leopold of Tuscany took the lead in the career of reform, and from the success which that sovereign says had attended his previous mitigation of the penal code of his dominions, he was induced, on the 30th of November, 1786, to issue that celebrated edict from Pisa, by which he proclaimed the total abolition of capital punishment throughout the states of Florence. In the preamble to the edict he expresses himself to the following effect:

‘Con la piu grande sodisfazione del nostro paterno cuore abbiamo finalmente riconosciuto che la mitigazione delle pene congiunta con la piu esatta vigilanza per prevenire le ree azioni, e mediante la celere spedizione dei processi, e la prontezza e sicurezza della pena dei veri delinquenti, in vece di accrescere il numero dei delitti, ha considerabilmente diminuiti i più comuni, e resi quasi inauditi gli atroci, e quindi siamo venuto nella determinazione di non più lungamente differire la riforma della legislazione criminale, con la quale abolita per massima costante la pena di morte, come non necessaria per il fine propostosi dalla società nella punizione dei rei,’ &c.

Whether crimes had really diminished to the extent here described may not be altogether certain, but there can be no doubt that Tuscany, under his administration, enjoyed a degree of tranquillity and prosperity, which will cause his name to be transmitted, as *the good Leopold*, to distant generations. But it was not to the changes effected by him in the penal code alone, that this happy

happy state of things was owing. He at the same time essentially improved other branches of the law, the executive government, and commercial regulations; and when a number of simultaneous measures, whether they may ultimately prove wise or not, concur in the mean while to ameliorate the morals and condition of a country, it is difficult to determine what share of merit ought to be ascribed to each. Neither was the new system tried for a sufficient length of time in order to judge fairly of its efficacy. In ten years after the appearance of the edict the progress of the French arms disturbed, and soon afterwards occasioned that suspension of its operation which has ever since continued: and none who are acquainted with the slow results of any alteration in law or government will think this period sufficient to afford conclusive evidence of the success of so bold an experiment.

Leopold's brother, Joseph, was perhaps a still more indefatigable legislator than himself, and equally zealous in his endeavours to promote the mitigation of punishment to the same extent throughout the different states of his empire; but he was thwarted in his schemes by the nobles of Austria and Hungary, and instead of the total abolition of capital punishment, was only able to procure its extreme restriction. The penal code of the Imperial territories has been at least twice subsequently altered, and we have understood, from what we considered competent though not decisive authority, that the gaols are at this moment insufficient to contain the prisoners and convicts; and that the number of executions at Vienna is greater, in proportion to its size, than that which has for some years back taken place in London. The Empress Catherine affected the same admiration for the new doctrines, and she also had the abolition of capital punishment publicly proclaimed; but whether the Autocrat of all the Russias at that time either invariably permitted or had it in her power to enforce a due execution of the letter of the law throughout her vast and partially civilized dominions, we believe there are no means of accurately ascertaining. We have always heard it stated, however, that this abolition was but an empty declaration, and that the *knout without reserve* was as certainly fatal to the criminal that suffered it, as the most avowed sentence of death could have proved. We are aware that the *knout without reserve* is now disused; but we have also heard that an entirely new criminal code for that country is in preparation, and though, till the time of publication, it must remain uncertain whether the ideas of Russian statesmen with regard to capital punishment have undergone any alteration since the reign of Catherine or not, the very circumstance of one complete code so speedily replacing another, would materially detract from the regard which ought to be paid to the principles on which

which the first had been constructed. There has also, since the revolution, been a remarkable mitigation in the criminal law of France; but the feverish and convulsed state in which that kingdom has remained ever since the mitigation took place, precludes any certain inference from being drawn respecting its effects. From all we have been able to learn, and from the successive changes which the new system of law has undergone since its first promulgation, that country presents no facts or appearances which would induce one to prefer the new system to the old.

We have now enumerated the four mildest penal codes ever yet enacted; and, though we should wish to express ourselves respecting them with the caution which every one will do who has experienced the difficulty of obtaining exact information on such a subject, we think we may venture to affirm, that none of them taken singly, nor all of them put together, afford sufficient proof that the abolition of capital punishment has hitherto been fully and successfully tried.

It is also well worth while to consider what punishments can be substituted in those cases in which it has been suggested that death should no longer be inflicted. Unless we are mistaken, it is here the grand difficulty in criminal legislation presses. A numerous list of writers, of whom Bentham and Dumont may deservedly be placed at the head, have shewn by means of multiplied definitions, subdivisions, and illustrations, what the nature and comparative degrees of crimes and punishments are; that punishments ought to be exactly proportioned to the magnitude of crimes; and that those punishments are the most eligible which serve the most effectually to deter and reform while they inflict the least injury or produce the greatest amendment on the criminal. On these and collateral topics they frequently reason with great sagacity and penetration, but oftener we fear with a degree of speciousness which makes both them and their readers imagine themselves to be greater masters of criminal law than they really are. As soon as it becomes necessary to reduce their doctrines to practice, it is perceived that no such variety of punishments has been discovered as almost every one of these speculators presupposes; and even if it were, there is hardly a state existing, the whole wealth and wisdom of which would suffice to carry one of their theories into execution, although dedicated to that single object. The result consequently is, that the improved punishment which these theoretical writers recommend would almost invariably entail a heavy additional burthen on the community, while it is exceedingly doubtful whether its effects would not be worse, both on the public and the criminal, than that for which it is provided as a substitute. No better proof of this could be desired than that which Leopold, Joseph, Catherine, and their preceptor Beccaria, have left us. In section

28, which contains the only truly practical observations to be found in his book. Beccaria gives his opinion on the nature of punishment in the following words :

‘ Non è l'intenzione della pena che fa il maggior effetto sull'animo umano, ma l'estensione di essa ; perchè la nostra sensibilità è più facilmente e stabilmente mossa da minime ma replicate impressioni, che da un forte ma passeggero movimento. Non è il terribile ma passeggero spettacolo della morte di uno scelerato, ma il lungo e stentato esempio di un' uomo privo di libertà, che divenuto bestia di servizio, ricompensa colle sue fatiche quella società che ha offesa, che è il freno più forte contro i delitti.’

It is strange that a philosophical enquirer should at the same moment display so much sympathy on the one hand, and want of feeling on the other ; and nothing but strong perversion of affection and understanding could induce a man to think he performed an act of mercy by saving the life of a rational creature for the avowed purpose of degrading him to the condition of a beast. Yet this is the inevitable tendency of Beccaria's reasoning as well as his expressions ; and whoever examines the penal laws of Austria, Tuscany, and Russia, will perceive that in this sense his royal disciples understood and endeavoured to exemplify his doctrine. In the Austrian code we find that the punishment usually substituted for death consists in confinement from 5 to 20 years, or for life, or in that dreadful form of solitary confinement, called in the Italian version of this code *carcere duro* and *carcere durissimo*, according as the heinousness of the crime or the circumstances of aggravation require one or other of these degrees of severity. In Russia, condemnation to the mines in Siberia extends to every length of time ; and in Tuscany, the edict of Leopold authorises confinement for 5, 10, 20 years, and for life : in other cases, condemnation to the gallees for life and in chains. Due reflection on these heavy and protracted punishments will perhaps lead some to doubt whether, in many instances, it would not have been an act of greater mercy to the criminal himself, as far as the mere question of suffering goes, had he at once been cut off from among the living. Mr. Buxton, at page 87 of his tract on Prison Discipline, mentions the case of an active farm-servant ‘ almost driven out of his senses by solitary confinement ;’ and in September, 1819, we ourselves saw a still more remarkable instance in Austria of the suffering which real solitary confinement for life is capable of creating. A labourer in that country was convicted in the year 1817, by the oath of one witness, confirmed by the strongest circumstantial evidence, of having murdered one of his neighbours. The criminal did not confess at the trial, and for want of such confession could only be condemned by the present law to perpetual solitary imprisonment. He bore

bore it patiently for two years, but at the end of that time the weight of his present and prospective sufferings became so insupportable, that he then confessed, received sentence of death, and we saw him drawn through the streets of Vienna on the way to execution. Few people, we apprehend, who reflect on the nature and intensity of the punishments we have now been mentioning, would think the adoption of them an advisable method of mitigating the Criminal Law of England.

It may still be urged that much additional light has of late years broke in upon the whole subject of Criminal Law, and that it has now been discovered, that without resorting either to capital punishment, or the revolting ones contained in the codes of which we have been speaking, crimes may be effectually repressed by mild punishments certainly and invariably inflicted. Some devoted adherents of the system of perfectibility go one step further, and with Suerer, in the Critic, anticipate the era when they will be repressed without any punishment at all. 'This,' says he, 'is a comedy written by a friend of mine, on an entirely new plan. You see it is called *The Reformed Housebreaker*, where, by the mere force of wit and humour, housebreaking is put in so ridiculous a light, that if the piece only has its proper run, bolts and bars will become useless by the end of the season.—In short, his idea is, to dramatise the Penal Code, and make the stage a court of ease to the Old Bailey.' Much reasoning has been employed by very grave men, respecting the possible mildness of punishment, scarcely less ludicrous, and far less harmless than the dreams ascribed to the author of the *Reformed Housebreaker*. We can find no authority, either in Revelation or the aspect which our times present, for believing that by a certain, though extremely mild punishment, most sorts of crimes could effectually be suppressed. But in truth no such certainty, nor any great approximation to it, can exist. The non-appearance or misconduct of witnesses on the trial, irregularities in the proceedings, and the fallible and differing judgments of judges and juries will always afford innumerable chances to the guilty to escape, in addition to one on which they count more than all the rest, the chance that they shall never be detected. The effect which would result from the certainty of punishment is one of those hypothetical arguments now and then made use of in controversy, which are never useful, and generally extremely mischievous. Certainty of punishment is as unattainable as certainty of conviction. We are not aware that any table of punishments has been constructed so accurate and ample as to apply to all kinds and gradations of offences; or that any country is to be found in which the punishment prescribed by law has been invariably executed. In the mildest as well as severest systems of penal law, we believe a discretionary

discretionary power has always been lodged somewhere, and the only real question is, to what extent it ought to be carried, and by whom it ought to be exercised. The objections which may be made to this discretionary power, are forcibly stated by Sir Samuel Romilly from pages 13 to 25 of his observations on Criminal Law. He complains that no two judges exercise it in the same manner; and that when one man is executed for a comparatively venial offence on account of bad past conduct, while a partner in the same transgression escapes with a more trivial punishment, the public loses the benefit of example, and never knows what the real ground of the severer sentence is. The objections are well founded, but appear to be pushed too far. As long as human understandings differ, the administration of law and equity under different judges will also differ, whatever pains may be taken to prevent it; and we believe the public to have much greater penetration in discovering the real cause of distinctions of punishment than Sir Samuel Romilly has admitted. If two men are convicted of the same crime, one of whom is an old and the other a new offender, if the first is executed and the second escapes with transportation or imprisonment, it is seldom that the public mistakes the true reason of the distinction made between them. It is one which, in the administration of every law, there ought to be an opportunity of making. If a confirmed London thief for instance, who has for many years lived by stealing, but has during all that time escaped the vigilance of justice, is at last convicted; or if a person should be convicted of passing forged notes who is at the same time a notorious forger, we are clear that a far more severe punishment should be inflicted on such hardened malefactors than on those who, though they have been guilty of the same crimes, have been recently seduced from the paths of virtue. Sir S. Romilly says, if this discretion is to be continued, it should at least be put under some regulation, and that general rules should be framed for the instruction of the judges. To this we have no objection, provided the end in view can be attained either by general rules applicable to the whole Criminal Code, or special ones adapted to each particular offence. We only fear that if the attempt were made, there would be found an insurmountable difficulty in making either sort concise and intelligible. But even if it were not, our argument would in no respect be affected. All that we contend for is, that under whatever form it appears, however it may be limited, and to whomsoever it may be committed, this discretion will, and for the furtherance of substantial justice ought always to exist. In this country, it is in effect, though not in theory, delegated to the judges; and though it may be inexpedient to trust them with it to so great a degree as at present, we suspect it is neither practicable nor desirable to deprive them of it altogether.

ther. The very responsibility which it entails is one of the best securities which can be given that the ministers of justice will be men of capacity and integrity; and the exertion of it is among the most legitimate means of procuring them that respect and deference which ought to be yielded to their office. In the edict of Tuscany, and in the lenient existing laws of Austria and France, this very discretion is in express terms reserved to the judges, to an extent which is always large, and sometimes so great as to appear alarming. In our own system of transportation, it is exercised by the Governor in New South Wales; and the exertion of it is anxiously provided for in 56 Geo. III. c. 63. which establishes the Penitentiary, from which, of all places, uncertainty of punishment, either as to duration or severity, ought if possible to be excluded. Although capital punishment, therefore, were repealed in most crimes to which it now extends, the nature or duration of the punishment substituted must still remain uncertain as before, and the only certainty that could be attained would be that capital punishment could no longer be inflicted. Whether this impression would tend to diminish crimes we shall not now inquire; but those who talk as if certainty of conviction and the inflexible execution of the statutory penalty afterwards, would render punishment equally effectual, though greatly less severe, seem to us to draw a conclusion unsupported by reasoning, by the practice of any other country, or by the present state of society in England.

To this state of society, neither in the minutes of evidence taken before the Committee, nor in the Report of the Committee itself, nor in scarcely any of the discussions respecting the improvement of the Criminal Law, has the slightest allusion hitherto been made; and yet it seems just as necessary for it to be kept in view by those who would legislate securely, as for a physician to attend to the peculiar constitution of the patient for whom he prescribes. By those who delight to exhibit mankind in the blackest colours, it has sometimes been alleged that however the form in which vice appears in any age or country, may vary, its proportion still remains the same. In no sense of the words do we believe this to be true; and as far as concerns offences cognizable by law, it is palpably false. In some parts of the world, unless the elements of society have been subjected to some strong disturbing force, the frequent commission of crimes amounts almost to an impossibility. Take for example the kingdoms of Denmark or Sweden, or the inland states of Germany, where large towns are few, wealth or trade is inconsiderable, population is thin, and the inhabitants are bound over to their good behaviour by the strongest of all obligations, those of attachment to their native soil, and love and respect for the friends and acquaintance among whom they have

always

always lived. In such countries, except to provide for a few heinous crimes which occasionally surprise the neighbourhood, little restraint of law is necessary. In this country, on the contrary, every one of these circumstances is reversed, and it would be difficult to point out another part of the world in which there are so many inducements to crime, and so few checks to the commission of it, except those which the strong hand of law imposes. The very wealth with which the country abounds becomes a snare to its people and a temptation to illegal acts in almost every place and under every form. The number and size of our towns tend powerfully to swell the catalogue of crimes, by concealing abandoned characters from observation, and affording them secrecy and suitable companions. The fluctuations of trade are always, somewhere or other, throwing men, women, and children out of employment; and it would be strange if idleness, bad habits, and a neglected education did not involve some of them in vicious courses. Last of all, there is that relaxation of the bonds of social and domestic union, which dense population and commercial habits everywhere produce, but which was never perhaps so strikingly exemplified as it is now in England. People meet and part, become familiar or estranged, and contract and dissolve the various relations in life with a facility and thoughtlessness of which in former times there was no example. When choice or necessity has caused a separation from old acquaintance or employers, the readiness with which new ones may be obtained, among whom life may be passed in tolerable comfort if not with happiness, makes those who associate together less minute in their inquiries about the dispositions, characters, and history of each other. All this has a bad effect upon society at large, but especially upon clerks, workmen, labourers, apprentices, and servants. If they faithfully and adequately perform the services required of them, further inquiry is very seldom made. As long as they continue to do this, they are permitted in all other respects to live exactly as they please; but whenever it ceases to be performed, either from misconduct or accident, they are unceremoniously, if not unfeelingly, discharged. The respect and attachment which servants and dependents used to shew to their masters, and the care and support which they received from them in return, during sickness and old age, has now, to the detriment of both parties, almost entirely disappeared. The community suffers in no small degree also; for it is difficult to say whether the uncontrolled command which they have of their leisure time and money during the days of prosperity, or the destitute state to which they are reduced on a change of fortune, contributes most largely to the increase of crimes. That such offences as highway robbery and perhaps murder are not so frequent among us as formerly, is a source of just congratulation.

Whether the temper of the times be so repugnant to these atrocities as some have alleged or not, it is certain that the increase of population, the state of the roads, and the improvement of the country, render the perpetration of them with impunity more difficult. But other offences, and those of a character which deeply affect the good order of society and security of property, have notoriously and exceedingly augmented. With these facts before us, we find it impossible to join in those encomiums on the morality and religion of the nation, which have sometimes been passed upon it. That the higher and a considerable proportion of the lower orders, discharge every relative duty of life with a propriety nowhere exceeded, we conscientiously believe; but that a considerable proportion of the common sort are as profligate and ungovernable as their fellow-citizens are exemplary, the evidence and documents printed by the Committee on the criminal laws of themselves furnish irrefragable evidence. There is reason to think that the very excellence of our constitution may render it necessary to make our penal laws more severe than in those countries where freedom is but imperfectly established. Where every one knows the exact limits of his rights and privileges, and is jealous of their preservation, no person dares to interfere to arrest or prevent his motions, however obviously they will end in crime, until he has done some deed which is actually criminal. Magistrates and conservators of the peace are thus frequently obliged to stand altogether aloof, or look on and witness proceedings which they clearly perceive will end in outrage and bloodshed, and which would have been checked at the outset in those countries, where the desirableness of the end attained makes them less inquisitive into the legality of the means by which it is accomplished. As it seldom happens that any good can be secured without some corresponding evil, we are inclined to think that an addition to the severity of our penal code is part of the price we must pay for the excellence of our constitution.

We shall now inquire whether, in the condition in which we have described this country to be, there is any probability that transportation and imprisonment will ever entirely supersede the use of capital punishment.

Transportation now takes place only to New South Wales, and its duration may be either for the limited period of 7, 10, or 14 years, or for life. With whatever intention transportation was first resorted to by this country, there is reason to suspect that it is now continued, not because it answers the salutary ends which all punishment ought to have in view, but because it is the easiest method of getting rid of a vast number of convicts whom the law does not know how otherwise to dispose of. Transportation for years, is shewn by the concurring testimony of those gentlemen, both

in this country and that colony, who have the best means of judging, neither to deter nor reform. The convict goes from the bar, after hearing sentence pronounced, with an address of 'thank you, my Lord,' to the judge, is looked upon by himself and his friends as setting out on his travels, in general wears out his time unreclaimed, comes back with his appetite for crimes whetted by abstinence, and is usually soon remanded to his place of banishment, a more corrupt and corrupting member of society than ever. It ought not to be concealed that it is mentioned by Mr. Riley, in his evidence before the Gaol Committee, that a great proportion of those who are sentenced to New South Wales for a limited period never afterwards quit the colony. But as it appears by the tables printed by the Committee on Criminal Laws, that only about a fifteenth part of the whole number of transported felons are at present sent away for life, a considerable number of them must naturally, from time to time, find their way back to England, and upon inquiry we understand this to be the case. To preclude this return in all cases whatever, and never to inflict transportation but when it is made perpetual, seems so strongly recommended by the evidence given before the Committee on Gaols and the Committee on Criminal Laws, that we presume little doubt will remain in the mind of any one, that the sooner an end is put to transportation for years, it will, for all parties, be the better. That this sort of punishment has for a good while past materially contributed to the increase of crimes, is proved almost to demonstration; but we can discover no reason to hope that under any modification it can ever tend to repress them. The shock of a perpetual separation from every thing with which a criminal has become familiar, is calculated to produce an effect extremely beneficial; and if the convicts are selected from those brought up to country labour, or the most necessary mechanical trades, and if the number of those transported is confined within due limits; transportation for life may become a merciful and efficient mode of punishment. Where the population is small, though consisting principally of convicts, the individuals who compose it have many motives to abstain from crimes, and few to commit them; and we find accordingly by the evidence laid before the Gaol Committee, that when the colony of New South Wales was in its infancy, and only a small number of convicts was transported, the experiment succeeded, and that the original settlers, who receive the name of *old hands*, have now become orderly and industrious members of society. But the instant any settlement becomes populous this effect entirely ceases. The dread of removal to it is destroyed, the chances of escape are multiplied, and the prospect of reformation from the scarcity or remoteness of bad companions is contracted if not entirely closed. This must inevitably

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happen, let the convicts be of what description and character they may; but if they consist of such a deluge of helpless useless outcasts as we have lately poured upon the coasts of New South Wales, we refer to the evidence given before the Committee and to the information of every respectable person connected with the colony, to shew how dismal in every point of view the prospects of that thriving country must become. By injudicious management the mother country wantonly throws away the advantages which such a colony is naturally calculated to yield. Under judicious restrictions with respect to the number and qualifications of convicts, transportation to New South Wales might continue to prove a salutary punishment, so long as there is any productive fresh land to occupy. Supposing the bulk of the settlers to be persons of orderly behaviour, the convicts to be well selected, and to bear a low proportion to the total population, they would adopt the habits of others instead of communicating their own, and their removal from home might not only be the means of their own reformation, but of advancing the improvement of the colony. In this case the great difficulty would be, to dispose of them in the colony in such a manner as to make this sort of transportation still dreaded at home as a punishment; for unless it acted as a punishment, and by that means deterred others from committing the same offences, it could in no degree relieve the mother country, whose interests we are now chiefly considering. We cannot look upon transportation, under any circumstances, as a punishment longer than the spot, to which convicts are carried, is dreaded by them as destitute of society and comfort. At what precise stage in the progress of a settlement, or under what circumstances, this takes place, it is impossible to point out. It must depend upon its climate, soil, situation, and accession of numbers. Though, to a certain class of persons, removal to New South Wales might be a very proper punishment, for half a century to come, in the minds of most of those who are sent to it, it has already ceased to create any apprehension. And yet upon what principle does the legislature appear to be acting? It is stated by Mr. Bennett, in his Letter to Lord Bathurst, page 78, that the number of convicts which left England for that colony during the year, previous to 7th March, 1820, amounted to 1016; and if all the alterations of the penal laws proposed last session by Sir James Macintosh had passed into laws, we have no doubt they would soon have been three or four times as numerous. And who are they that are sent? We have said, that the only convicts likely to become orderly industrious members of society, in a country so circumstanced as New South Wales, are those who have been bred to country labour and the handicrafts connected with it.

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But these are not the classes to which any considerable proportion of transported convicts belong. Those who make up the chief part of the cargoes of convict ships are the refuse of trading and manufacturing towns, and just as ill-assorted a commodity for New South Wales as can well be thought of. No settler will, on their arrival, voluntarily receive them into his service, and all that is accomplished is this—they are got rid of for a time by removal at a great expense to the most distant quarter of the habitable world, and continue as indigent, wretched, costly, and corrupt at Port Jackson and on the Coal river, as they could have been in any corner of the mother country; and yet this is a sort of punishment which has been held to be so creditable to the humanity and intelligence of the 19th century. When it is considered what sort of persons are alone fit to be sent out as convicts; the limited numbers that can be sent to any settlement so as to continue it an object of terror and means of reform; and the difficulty of finding fresh stations, and the expense of establishing them when they become necessary; we apprehend that little reliance can be placed upon transportation as a general and effectual permanent mode of punishment by this or any other country.

Imprisonment however rather than transportation, seems now to be regarded as the grand specific for the cure and prevention of every sort of crime. Like many of the other schemes upon new or improved principles, to which the attention of the public is solicited, it seems to be exceedingly expensive. Many ingenious persons descant upon solitary confinement, classification of prisoners, the benefits of neatness, cleanliness, roomy cells, yards, and airing grounds, as if any plan for the improvement of prisons or penitentiaries could be executed without money, or as if that money could be drawn from any fund which is not supplied by the people. It is, however, very certain, that prisoners must be secured and crimes punished, and yet that the community cannot afford to devote more than a certain proportion of its substance as well as of its time to that object. In England, whenever an appeal is made to the compassion of the public, it scarcely knows how to set bounds to its generosity. All sorts of persons who, from misfortune or misconduct, become in any wise destitute or distressed; from the thoughtless or profligate debtor who procures his discharge under Lord Redesdale's act, down to the London charity children, who, for wise reasons no doubt, are to be conveyed in caravans to the deserts of Dartmoor; are looked upon with an eye of greater favour than in any other country. Dramatic effect is now so well understood, that whoever proposes a plan which can be recommended by an interesting or affecting statement or speech, is sure to draw over at once to his side no inconsiderable portion of the community.

community. Notable women, very young men, clerks in counting-houses and public offices, strenuous political reformers, a great part of the daily press, and the enthusiastic admirers of liberality and humanity are all zealous in its favour, besides a larger or smaller part of the community, who on better grounds may be disposed to give it their support. As these sorts of adherents are usually the most indefatigable and vehement in conversation and discussion, the expression of their opinion is frequently mistaken for the voice of the country at large, and on occasions when they form the majority neither in numbers nor consideration.

We hope it will not be supposed that the language now used implies an indiscriminate aversion to measures which aim at alleviating the sufferings or ameliorating the condition of our fellow creatures. To all such as, upon deliberate investigation, appear to answer this end, of whatever nature they may be, and from whomsoever they may proceed, we cordially wish success. We only say that the sensibility which some of them have at first sight excited, has evidently overstepped the limits of propriety; and in the accommodation which has been made for prisoners and convicts, it may be doubted whether some excess has not taken place already. The expenditure on this score has in various counties been enormous, and the rates imposed to defray it have proved so oppressive, as almost to reduce industrious persons of small property to the very condition of those for whose benefit such rates were levied. What additional charges an extraordinary mitigation of our penal laws and total abolition of capital punishment would entail upon the country, we cannot specify: they would beyond all question be considerable, and we intreat those who are intrusted with the administration of public affairs to make a careful estimate of them before they are any further sanctioned. The first cost of the buildings alone would make no small figure even in a country whose legislative assemblies are so much accustomed to count by millions. Of this any one may be satisfied on taking a survey of the Penitentiary at Milbank. From the moment it heaves in sight, it might be mistaken, from the vastness of its size and the depth of the morass in which it reposes, for one of the fortified towns which have so long given interest and protection to the flats of Holland; and on a nearer approach, the growing grandeur of its walls, towers and circumvallations, will shew that the distant prospect did not belie the reality. The estimate has already increased from 4 to £600,000, in addition, we believe, to 70 or £80,000, accidentally thrown away by placing it in a quagmire; and how much more it may cost before it is finished we cannot conjecture. As, when completed, it will only contain 600 men and 400 women, it is worth considering how many of such establishments would be required to receive all

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the convicts of the kingdom, in case confinement in penitentiaries should hereafter be made the principal mode of punishment. In 1818 there were 2052 persons condemned to transportation for the different periods of 5, 7, 10, 14 years, and for life, and 1254 convicted capitally, of whom only 97 were executed. The remaining 1157, must consequently have had the capital punishment commuted for transportation, so that the whole number of persons transported or condemned to transportation in a single year must have been upwards of 3000. Supposing 1500 of these, under a mitigated code of Criminal Law, to be transported, and the other 1500 to be confined in penitentiaries for an average of three years each, their number at the end of that time would stand at 4500, and continue to do so unless the annual number of convicts diminished. This would be the case, even supposing prosecutions not to be more frequent than at present; but it must have been observed, that an immense increase in prosecutions is one of the effects most confidently anticipated from the abolition of capital punishments by those who object to them. It has never been stated to what degree prosecutions would thus increase; but, from the reasoning and expressions employed, we should gather that they would at least be trebled or quadrupled. If they were only doubled, the constant total number of convicts to be disposed of would amount to 9000; which would render nine Cities of Refuge, each as large as that at Millbank, necessary for their reception. These must be built, repaired, and the costly establishment attached to each supported in some way or other. We know we may be told from the manner in which the gaols have been erected at Ilchester and Shepton Mallett, that convicts may be made, with all the skill and diligence of the bee, to build their own cells, and that the joint produce of their labour in a house of confinement will nearly defray the whole charge of the establishment. Taking the most favourable instance which can be produced, and supposing the price put upon the articles manufactured by the prisoners to be just, which is however always higher than it would fetch in open market, we strongly suspect that on a fair settlement of accounts between the governors and any of these establishments, the establishment will invariably be found a debtor to a very large amount. The charge of extraordinary expensiveness which may now be made to many gaols, houses of correction and the penitentiary, applies equally to transportation. The freight of each convict from England to New South Wales amounts to about £20, and each on an average costs about £20 a year afterwards. The increased expenditure of the colony has kept pace with the increase of transported convicts, and will, it is alleged, within the last year, come to little less than £300,000. It is difficult to determine, therefore, whether confinement or transportation

tion be the more costly; and the total charge incurred by the one which happens to be most in vogue must increase precisely as that of the other diminishes. Thus much has been said on the heavy tax occasioned by the accumulating numbers of felons either abroad or at home, because, in a financial point of view, the subject seems to deserve more consideration than it has hitherto received. It can make no difference in the reasoning whether the tax paid is at once imposed upon the whole country, or a part of it only is imposed upon the country, and the remainder made good by each separate county. The tax presses ultimately with the same weight upon the country, and becomes even more objectionable from the imperceptible manner in which it is raised. Though all which has now been urged against the costliness of the punishments of transportation and imprisonment were allowed to be true, it may be said that it would not amount to a conclusive argument against them. It certainly would not, nor has it been advanced with any such intention. All we contend for is, that, before capital punishment is abolished or any great stride made towards it, the unlimited drain upon the country which the punishments to be substituted for it would certainly occasion, is a strong reason for exacting the most satisfactory proof, that they would effectually answer those purposes of reformation and terror which they are said to serve, and unless we are much mistaken, nothing approaching to this has yet been produced.

It would give us much concern to hurt the feelings or damp the zeal of those who are engaged in the exalted task of moral reformation; but neither the evidence given before the Committee on the Criminal Laws and the Committee on Gaols, nor any facts which have come within our observation, hold out any expectation that a general or thorough amendment of criminals ever can be looked for. There is a degree of credulity shewn on this subject by most of the advocates for extreme mitigation of punishment which is perfectly amazing. The good sense and caution which they could not fail to display on other occasions seem here totally to forsake them, and they receive with avidity any reports of repentance and amendment, instead of examining them with the discrimination of sound practical statesmen, anxious to found projected improvements only on the basis of facts which will stand the test of the most rigid inquiry. Yet in whatever dress these Reports appear, or in whatever manner the extracts from them are selected, some circumstances always disclose themselves which place in the strongest light the difficulty of effecting permanent reformation. No opportunity seems so favourable for the exemplification of it, one should think, as in those cases where no legal steps have been taken against the offending parties; where their character to all appearance re-
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mains unsullied ; and where all the notice which has been taken of their misbehaviour consists in the good advice they receive at the hands of those whom they have injured. Gratitude for forgiveness, and delight at escape from imminent danger, ought to conspire to effect a salutary change in the mind, if any thing short of the most violent remedies could. Yet even under these circumstances the facts contained in the Reports of the Committees on Criminal Laws and on Gaols offer little ground to expect it. Five cases of this sort are mentioned at pages 92, 97, 106, 116, and 118, of the Report of the Committee on Criminal Laws, and yet three out of the five offenders, after all the kindness shewn to them, are admitted to have turned out badly. This is viewing these cases most favourably, for it happened with them, as it does with many others of similar nature, that the continued criminality of those who turned out badly is placed beyond all doubt, while the reformation of those who turned out well rests on information and belief only.

If reformation can be looked for with so little certainty among those in whom it might with so much reason be expected, the case of hardened or convicted criminals, whether young or old, is still more hopeless. The following evidence is given by Mr. Henry Hoare, jun. who has taken a principal share in the management of the permanent Refuge in London for boys, at page 149 of the Report of the Committee on Gaols :

‘ The committee would be glad to have a general account of the proportion you think have turned out well, and those who have not turned out well, or who have been dismissed for misconduct ? ’ ‘ From May, 1815, which was the commencement of the establishment on the present premises to Christmas, 1816, 187 under 20 years of age have been admitted. Of these 56 now remain in the establishment, and are going on exceedingly well ; 54 have been reformed and discharged, and we have the most satisfactory account of their conduct ; the number of those who have returned to their evil practices is very high, being 46 ; but the majority of those cases were admitted before we had the system in proper order.’

Of the 31 unaccounted for, he says, ‘ the society feared that 18 had returned to crime, and 13 they knew nothing at all about. They wish to keep the boys two years in the establishment before they are considered as thoroughly reformed.’ Taking this statement of Mr. Hoare in the most favourable view, it appears that out of 131 boys, being the total number discharged, 46 are known to have returned to crime, and there is reason to believe that 31 more have been little, if at all reformed.

Mr. Shelton, at page 27 of the Report of the Committee on Criminal Laws, says, ‘ persons who put off bad money uniformly come to the bar of the Old Bailey, till they are disposed of one way

'way or other: if they be acquitted in one session they come the next, and so till they are convicted: it is almost to a certainty that they will come again.' Mr. J. A. Newman, (page 68) on being asked if he could guess what proportion professed rogues and young offenders bear to the whole number of convicts, answers, 'No, not correctly, but I should think about one in four, who cannot get their living in any other way. Of capital convictions?—Of persons committed generally.' Mr. Ruell (page 70) supposes, that from one-third to one-half may be persons of that description. Mr. Shelton (page 22) is also asked, 'A very considerable number of those persons who are tried at the Old Bailey, one may say, are malefactors by profession, that is, persons engaged habitually in crimes? Yes, they are.—A great number of persons are more than once or twice brought to the bar? Oh dear, some are brought many times.'—Mr. Ruell (page 70) is asked—'Have you any hope of reclaiming those brought up in ignorance sooner than others?' he makes the following reply:—

'In some cases good has been and may still be done; but my experience compels me to say, that I am not very sanguine as to reclaiming those young offenders, who have, from their very infancy, been inured to crime; we have generally more trouble and less success with such than more old offenders. The reason I conceive to be, because they have been brought up in entire ignorance of all moral and religious principles; and their associating together only tends to harden them in crime. There is a depth of depravity and moral insensibility among them truly appalling, and which would be hardly credited without ocular demonstration. While no efforts should be spared to recal such instances of moral degradation, I feel convinced in my own mind, from what I have seen and heard, that measures to remove their ignorance, and prevent the seduction of others, will confer a much greater benefit upon the public than the best means of recovering the lost.'

Mr. John Teague, Keeper of Giltspur-street Compter, at page 271, of the Committee on Gaols, is asked—

'Have you any means of observing whether any beneficial result has followed from keeping the boys so employed?'—'I have not had an opportunity of observing, but I have no doubt they will be better for being employed; there is no doubt about it.' 'Have you any means of knowing how any of them have behaved after leaving the prison?' 'I have heard of many of them being in custody again.' 'Committed to your gaol?' 'No, to other gaols; but as I attend the sessions, I frequently see them, and, although in another name, I know them.'

With respect to the effect of the discipline criminals receive on board the hulks, we may take the evidence of Mr. Grey Bennett himself, in his Letter to Lord Sidmouth on the Transportation Laws, published in 1810. In speaking of the management of the prisoners on board the Laurel, convict ship, he says that one of the convicts told

told him ' that little was effected in the nature of real reformation ;
' the prisoners found it to be their interest to appear satisfied, and
' to make no complaints, but those who imagined that any moral
' amendment would be effected deceived themselves to the greatest
' degree.' Mr. Bennett also says, at page 48 of the same pamphlet,

' I read with surprise the annual report presented to parliament, and
the account given by the respective chaplains of each ship. These
statements, though the authors are very respectable and praiseworthy
persons, are not to be admitted without great caution. These gentle-
men are the heroes of their own works, and without meaning offence
to those whose exertions I highly value, they are too apt to be their
own panegyrists. Notwithstanding these authorities, I am incredulous
as to the miracles of reformation, which are stated to be annually
worked on board the different hulks on all varieties of persons and
under all varieties of management.'

Prisons and houses of correction may indeed produce more
reformation than the hulks. Those who take the trouble to turn
to pages 304, 322, 329, 332, 353, 371, 280, 384, and 387, of
the Report of the Committee on Gaols, will find instances of the
amendment which may be there accomplished. They are the
only ones, as far as we have observed, which occur in any part of the
volumes lately printed under the authority of parliament, and, like
many other facts which have been quoted for the same purpose, are
not of so precise and satisfactory a nature as to permit entire reliance
to be placed upon them. We shall, on the other hand, quote the
testimony of Mr. Cunningham, one of the officers of Gloucester
gaol, to be found at page 390 of the same volume, which, we are
sorry to say, far more than bears down any evidence that has yet
been put into the scale against it. Mr. Cunningham is asked—

' Have you been in the habit of late years of granting as many cer-
tificates of good conduct in the prison as you used to do? ' We have
not.'—' On what account? ' ' We could not ascertain the reformation
we had worked upon them, in consequence of the crowded state of the
prison, and their working on society.'

These short answers appear to us to communicate one of the
most authentic and decisive results which has yet been laid before
the public on the effect of imprisonment as a punishment. It is
generally understood, that as Gloucester gaol was among the first, it
has continued among the best regulated places of confinement in
the kingdom, and in which we might consequently expect to see
one of the fairest proofs of the effect of prison discipline. Yet
after a trial of 17 or 18 years, with all the help that regulation and
classification afford, it is found that it is relapsing into its former
state, and that without any certainty of the prisoners being materially
better than they were before, it is quite certain that they are a great
deal

deal more numerous. Some circumstances which we shall presently mention respecting the Maison de Force at Ghent, coincide singularly with what has happened in the gaol at Gloucester. The same thing which has occurred at Gloucester, we fear will happen in the gaol at Newgate after all the benefit it has derived from Mrs. Fry's exertions. Far be it from us to depreciate either their merit or success. We have examined her arrangements, and observed the calmness, kindness, judgment, and precision, displayed in the superintendence of them by the ladies who are her chief coadjutors. It is impossible to witness the labours of these ministers of benevolence, and the involuntary gratitude and respect they draw from some of the most abandoned of the human species, without fervently wishing them success. We do not understand that Mrs. Fry's object is to shew that her discipline would supersede other punishments, but to add its effects to that of the punishment which the law now imposes. The time during which criminals usually remain under her care will not permit her to make any greater experiment, and we certainly entertain apprehensions, which the conduct of some of Mrs. Fry's scholars when removed elsewhere has served to confirm, that the good impressions made in Newgate are too often transient, and that the improvement she has there introduced being subject to all the reverses which have happened at Gloucester, and in the Maison de Force at Ghent, will not be found to insure invariable and permanent reformation.

It has been supposed, however, that penitentiaries possess virtues both for terror and reform which no other places of confinement have ever yet claimed. Perhaps this may be true. That the treatment which prisoners and convicts now experience in prisons, bridewells, houses of correction, and in penitentiaries, is an incalculable improvement on the old system, and an excellent punishment for minor criminal offences, is beyond all question. Neither do we feel any disposition to deny that it has completely and permanently reformed many who have been guilty of delinquencies of a deeper dye. We only say that if the penitentiary is expected to purify most of those whom it receives within its walls, or eventually to supersede the necessity of capital punishment, we can see no good reason to suppose that it will ever fulfil the expectations of its patrons. The very uncertainty, which must always exist, of a supply of gentlemen of requisite capacity and condition, willing to devote their time to its superintendence, presents a very serious difficulty. As long as an institution possesses the charm of novelty, and the admiration of its original founders and promoters continues undiminished, it is watched and cherished with a degree of tenderness and solicitude under which it cannot fail to prosper. But a decline in the warmth of attachment sooner or later takes place, and the
injurious

injurious effect must be more sensibly experienced, we should think, in penitentiaries or prisons, than in many other establishments of a somewhat similar nature. In charities, refuges, or houses of industry, the errors or neglect of their visitors or directors seldom go further than to circumscribe the sphere of their utility; whereas, if the same thing occurred in a penitentiary set apart for the punishment of great crimes, it would fail to effect its purpose altogether. It is only on the supposition of penitentiaries being kept in a state of admirably tempered management, that they have ever been alleged to be an adequate substitute for severe punishments at all. Too much severity or too much lenity is admitted to be equally hostile to reformation; and when it is considered how much skill is requisite not only to hit this medium at first, but to adhere to it afterwards, we see no great chance that the first or any succeeding list of managers will be able to attain it. Without the assistance of such a class of persons the prospect seems still more hopeless. The best general rules which can be framed for the guidance of a hired governor and his subordinate officers will not insure the invariable performance of their duty, or that nice discrimination in the treatment of prisoners on which their reformation so mainly depends. The pentagons might be kept quite clean, the routine of the house might go on without any interruption, and the male and female prisoners might bow and curtsy in their cells to passing visitors as becomingly as ever, although the regenerating spirit of the place had long ago fled. Whatever is connected with outward appearances will be among the last things to suffer, as it is to them that the attention of strangers is principally directed, and more especially is this the case where the expense is borne by the public.

Let us now turn from the difficulty of the management requisite to work reformation, to the subjects upon whom it is to be wrought. Many of them have grown grey in iniquity, and others have been from 10 to 20 times in prison by the time they are 17 years of age. The general or frequent real reformation of such malefactors, and especially of those who infest large towns, as forgers, utterers of forged instruments, housebreakers, thieves, and pick-pockets, of whom so large a portion of the whole catalogue of convicts consists, would be one of the most extraordinary moral phenomena the world has ever seen. They are not fit for country labour in New South Wales, nor have they been inured to the sedentary occupations which can be followed in a penitentiary. Instead of being regarded as rational creatures, misled by strong temptation, or hurried by passion into acts of criminality, and of whose amendment any just hopes can be entertained, they come at last, from the complete destruction of every moral principle and feeling,

to be distinguished from the other sorts of vermin which afflict mankind, by little else than their superior powers of doing mischief. That they should quickly accommodate themselves to the life of a penitentiary, and often assume an air of contrition and repentance, is extremely natural. It is their interest to do so, because it may probably shorten the period of their imprisonment, and, at the worst, makes it more tolerable while it lasts. Mr. Buxton, at page 87 of his *Prison Discipline*, says, that while he was in the prison he was then inspecting, a woman earnestly solicited a wheel, saying, 'employment would ease her mind, and help her to while away the time.' Temporary amendment is not sufficient proof of a lasting change either in principles or conduct. It is easy to tell when bodily diseases are cured, but in those of a moral kind it is almost always impracticable. Dissimulation is so prominent a characteristic of those who have once become abandoned, that until it is ascertained how they avoid or resist temptation when left at their own disposal, no conclusion can be safely drawn respecting them. Two or three years, which is the utmost length of time to which examination has been carried into the conduct of convicts after their discharge from prison, is too limited a period of probation. Nothing short of the fullest evidence of the good behaviour of a long list of persons who have been reformed in penitentiaries can demonstrate their universal efficacy as a punishment. This the penitentiary at Milbank, which was opened only in 1816, cannot afford, until it has existed four or five times as long as it has yet done. In justice to the governor and those who are now acting under him, we are bound to state, that as far as we had an opportunity of judging, they seem to be as zealous and competent as any that could have been selected to fill their respective situations. Still the place did not answer the ideas we had formed of it; and besides the general objections we have specified to all houses of confinement whatever, there are one or two which seem applicable to the penitentiary at Milbank with peculiar force. The confinement can, in no instance, be properly called solitary, unless when it is imposed for gross misbehaviour while there; nor is it so nearly approaching to it as, it strikes us, it ought to be. A large proportion of the prisoners are found labouring, two and three together, and all of them must, to a certain degree, be relieved or amused by the visitors who pass and repass their cells. This evil has not yet got so far ahead in the penitentiary as in Newgate, where as much harm must be done, we should think, to the prisoners on the two public days as can be counteracted during the rest of the week. The last and greatest fault we find with the Penitentiary is that it is too comfortable. The time is past indeed when it was the ambition of the governors to have a bedroom and parlour for each of its inmates; but even now, it has by

no means that air of austerity which a house of penance ought to wear. We are much mistaken, if it will not be found that one-third of the labouring population are not so well provided with lodging, food and clothing as the criminals who are sent there for punishment. If there were fifty penitentiaries like that at Milbank planted up and down the land, we are confident that, when their merits came to be known, there would be a sufficient number of candidates to fill them. If this be the case, one of the surest safeguards to virtuous conduct is removed; for we know no rule more cardinal than this, that in all sorts of prisons their inmates should fare worse than almost any individuals who earn their bread by their own unassisted industry.

The observations hitherto made on the most approved method of treating convicts in prisons and penitentiaries have been confined to reformation only. Another, and, to the best of our judgment, a more important object of punishment is terror, which the confinement now recommended seems to have very little tendency to produce. The mild treatment which criminals experience, the shortness of the period now thought sufficient to effect a cure, the absence of unsuitable company, which follows from the length to which classification is carried, the very relief which moderate and constant out-door or in-door labour affords to the mind, the exertions made to provide situations for prisoners after their discharge, and the quick and complete manner in which lost character may be retrieved—all conspire to diminish the apprehension with which a lapse from innocence used to be regarded. Nothing else, as far as we can perceive, can have occasioned the crowded state of Gloucester gaol, which is mentioned by Mr. Cunningham; and to the same cause we should ascribe the extraordinary number of convicts confined in the *Maison de Force* at Ghent. Mr. Buxton, at page 96 of his *Prison Discipline*, says, that its present management is so excellent that only ten per cent. of the felons return, and few of the others; but admits that the number there confined amounts to 1300. This seems an extraordinary proportion of malefactors for a narrow territory; and as Mr. Buxton mentions that Mr. Howard saw it in 1775 or 1778, when its regulations were good, and again in 1785, when they were bad, it immediately occurred to us as probable that Mr. Howard might have given the number of prisoners he found in it at one or other of these periods. Accordingly, on turning to page 79 of his account of German prisons, he states the number of prisoners he found there in 1775 or 1778 at 280 men and 117 women, making altogether 369 persons. The facts then appear to stand thus:—in a country where the amount and condition of the inhabitants seem remarkably stationary, where, Mr. Buxton says, there are no capital punishments except for pre-meditated

meditated murder, and where the management is described as having generally been excellent, the number of criminals has more than trebled in little more than 40 years. Unless some explanation can be given of these circumstances, it would be difficult to imagine any thing less favourable to the effect which mitigation of punishment has in preventing crimes, than the result which they afford.* They certainly outweigh any contrary inference which can be drawn from the account given, at page 105 of the same pamphlet, of the prison at Philadelphia. Mr. Buxton says, that capital punishment was abolished in Pennsylvania in 1791; and he compares the state of the prison from July, 1789, to June, 1791; under the old system, with its state from June, 1791, to March, 1795, under the new; at the end of which time he shews the comparison to be exceedingly in favour of the latter. We have no doubt it was, and have introduced the fact here, in order that our readers may be aware of it, and that those who examine the account itself, may set whatever value on it they think proper. As Mr. Buxton seems to have bestowed considerable pains in collecting such documents, we could wish that in shewing the effect of the new regimen in the prison of Philadelphia, he had taken a longer and later period for the comparison. We should think there must have been several returns made by the governor of the gaol of Philadelphia between 1795 and 1819, when Mr. Buxton's work was published; and as the last of them, from the maturity which the discipline must have reached and the effects it produces, ought to be the most important, we wish they had been communicated. They probably will not be found to answer Mr. Buxton's purpose so well as those which he has quoted. No other facts than those which we have now mentioned, bearing upon this

* Since the above was written, we saw this Institution in the end of August, 1820. Without meaning to call its utility in question, we may be permitted to state, that, unless we are much mistaken, there are many persons in England who entertain notions of the variety of ways in which the prisoners are there employed, of the neatness of the place, and efficacy of the discipline, which an inspection of the establishment does not fairly warrant. Unless the information of the officer who accompanied us was incorrect a much larger proportion of the prisoners return than Mr. Buxton in his tract on prison discipline has stated. The number of prisoners too seems still to be increasing. When we were there, they amounted to 1196, and 150 had a few weeks before been sent off to what are called the *gallies* at Antwerp, though they do not strictly answer to the name. At Wilwoerde, near Brussels, there are said to be other 800; and at the *gallies* at Antwerp just mentioned, there are about 1100 more, selected as greater criminals than those at either of the other two prisons, and who are confined either for a longer period, or for life, and in chains. Should these details be exact, there are now about 3096 convicts in the three great criminal dépôts of Brabant, besides all those who are condemned to one year's imprisonment or less by the different local jurisdictions; which excessive number in a country neither in extent nor population much exceeding Yorkshire, seems to afford stronger proof than the result of the discipline of any one particular prison could do, of the general inefficiency of the criminal laws there established.

branch of the subject, have come to our knowledge, and unless we have been led astray by some undetected fallacy, we cannot perceive either that reason or experience holds out any hope that the mitigation of punishment, aimed at by the Committee on criminal laws would at the same moment effectually deter as well as reform. Extreme mitigation of punishment, which is supposed to be that sort of it which is most friendly to the reformation of the guilty, is on the other hand most destructive to the terror which confirms the virtue of the innocent. To attain the two objects equally by means of any one punishment seems impossible. Mitigation of punishment may fail to attain either, but it cannot attain both; and considering the extent, wealth, population, and state of society in this country, to propose the extension of that mitigation so far as to produce the total or almost total abolition of capital punishment, we should look upon as one of the most adventurous schemes in legislation which has been projected from the days of Lycurgus to the present time.

While discoursing of the comparative merit of different reclaiming and preventive punishments, it is impossible not to remark, that one of the most agreeable and effectual means of repressing crimes, is to remove as far as any legislature can, the causes which are found to produce them. One of the most powerful of these is the distress created by want of employment, which is still forcing itself upon public attention. Changes of times and seasons will in every state occasionally deprive multitudes of the means of subsistence; but so great and unexpected a transition from activity to stagnation, has seldom happened to an extensive country as that which still depresses this. Into its actual extent, or probable duration, it is foreign to our purpose to inquire. We are concerned with it no further than as the want of employment which it occasions among a redundant population, has always been a source of crimes, and is now a more abundant one than ever. Those who are in needy or declining circumstances shew less disposition than in former times to bear their sufferings in silence, and less repugnance to relieve themselves by unlawful means. It is no doubt true that when want and indigence are widely diffused, all the aid that government can render to assuage them must comparatively be unavailing; but in the present emergency it would perhaps be wiser policy, both for our own welfare and that of our colonies, that ten times the sum should be expended in conveying honest poor to the settlements, which is now employed in transporting them to New South Wales after they have degenerated into convicts. If any remedy of this kind either could or ought to be applied, it should only be temporary, and preferred with no other view than as the substitution of a lesser evil for a greater. Provision ought also to be made, if possible,

for the return of the money advanced, either in the shape of money or labour; for, if this is not done, the effect of such a measure would be similar to that of the poor rates, which is another cause of the increase of crimes, and one which is infinitely more alarming. In whatever aspect the operation of the poor laws is considered, they prove themselves to be the greatest moral plague that ever overspread a country. How far or how soon it might be practicable to repeal them, it is not for us to judge; but it seems to have been reserved for them alone, to cherish every vice at the expense of every virtue, and to encourage disobedience to the laws, in the exact proportion that they promote national impoverishment. Places of riotous assemblage, and especially unnecessary fairs, are another cause of crimes which we should be glad to see restricted or abolished. There are said to be no fewer than 82 fair-days in the neighbourhood of London in the course of every summer, each of them exceeding the other in scenes of disgusting disorder and debauchery. Why such nurseries of vice should have been so long tolerated in a civilized and moral country exceeds our comprehension, for of all nuisances they seem to be the most easy to be suppressed and least susceptible of vindication. Public houses are almost equally objectionable. There are such multitudes of these, in town and country, perpetually holding out allurements to those classes of the community who are the least able to resist them, that they can be regarded in no other light than as seminaries of iniquity, of which no principle of political economy that we are aware of can justify the continuance. To find fault with a just allowance of public houses, as places of reasonable recreation and refreshment, would no doubt be both preposterous and ridiculous; but to their excessive numbers, their disorderly management and unseasonable hours, many and grievous evils are distinctly owing. It is in them time and money, which tradesmen and labourers can ill spare, is spent; domestic unhappiness created or increased; bad connexions formed; familiarity with crime established, and consent too often given to become participants in its perpetration. It is there plans for the commission of crimes are usually proposed and arranged, and there the actors in them almost invariably assemble after they have been committed. We intreat those of our readers who are in possession of the Report of the Committee on Gaols to turn to the evidence of Dr. Lushington, printed at page 162, and they will find proof of the encouragement and assistance which public houses lend to delinquents, of which till then they probably had no conception. The scenes of depravity there disclosed, reflect disgrace on the license system, on the whole police of London, and excite wonder and astonishment that such deeds could be acted night after night, with-

out

out colour or concealment, in any country where criminal law exists and civil order is established. If the multiplication and management of public houses really augment misery and guilt as much as we have now supposed, the good they do to agriculture and the revenue by the sale of spirits is but a slender compensation for the evil they occasion. To connive at dissolute or desperate habits, because they may afford a temporary supply to an exhausted treasury, will be thought but a miserable shift for any minister, as long as any sense of right and wrong is left among us. It has not even the merit of a sound state expedient; for private vices, when traced through all their consequences, will never prove in the end to be public benefits; and we believe no prodigal heir ever disposed of his expectations so improvidently, as a finance minister, who, for any sum of ready money, virtually assigns the expectant virtue of his country.

Still, however, we are persuaded, that with all the assistance which can be derived from preventive remedies, as well as corrective and preventive punishments, it will not be found practicable to dispense with the infliction of death altogether. We even go farther, and say we think it might have proved wise and merciful to inflict it of late years more frequently. As this opinion may perhaps give offence, we have not delivered it without considerable reluctance. None who are guided by the principles of Christianity, or even by the ordinary dictates of humanity, can ever think or speak of that last resource of the law by which a fellow creature is precipitated into the presence of his Maker, and this perhaps before repentance has washed away the greenness of his guilt, without feeling himself deeply affected by the solemnity of the subject. But though this consideration imperatively requires us to subject every step of the reasoning we employ on such a topic to frequent and severe examination, yet if it stand the test and no error is detected, we can perceive no ground which it affords, why any conclusion to which that reasoning may conduct us should be either evaded or concealed. One of these conclusions is, that as the very existence of society implies the power of doing every act which may be necessary for its continuance and well-being, there are a considerable number of offences committed against these which nothing but the capital punishment of the offenders can effectually suppress. We have with astonishment heard the loss of life denied to be the most dreaded of all human punishments. The sentiments and history of all mankind refute the allegation. If there are a few common thieves or other villains for whom death has no terror, they can be regarded in no other light than as exceptions to the general rule, and not as examples of the general rule itself. In truth, however, when their conduct comes to be narrowly examined,

amined, the greater part of them will prove to be no exceptions at all. The very exertions which on the near approach of death they find it necessary to make, in order to *screw their courage to the sticking place*, is the most convincing evidence which could be afforded, of their apprehension of an event which they pretend to regard with such perfect indifference. By most people, however, it is admitted that capital punishment may be an object of terror if sparingly used, but that the laws of this country so frequently enforce it, that like an overstrained spring it has lost all its efficacy either on criminals or the public; and that, at most executions, the feeling excited is adverse to the laws, and favourable to the sufferer. That the first emotion which arises in the mind on such an occasion should be that of commiseration for the culprit is perfectly natural, and that the feeling we have just mentioned has lately been in some instances loudly expressed, is indubitable. By whom, and by what means, and for what purposes, this clamour was raised and has been continued, it would not be difficult to trace, and somewhat instructive to explain. As usually happens, however, in violent ebullitions of popular passion, it owes its existence either to entire ignorance or gross perversion of the facts on which it pretends to be founded. It is believed by many, and those too whom one would expect to be better informed, that six or eight persons are executed at the door of Newgate at the beginning of almost every week throughout the year, besides hundreds who suffer in the course of the spring and summer assizes in the country. For the correction of such an error we shall quote the following documents from the Appendix to the Report. The first is a table, which will be found at page 196, of the number of capital convictions and executions in London, from the year 1700 to 1755 inclusive. In 1700 the convictions were 21, the executions 8.

1701. 14.	3.	—	1702. 8.	4.	—	1703. 9.	1.	—	1704. 6.	1.
1705. 19.	8.	—	1706. 11.	2.	—	1707. 13.	8.	—	1708. 14.	4.
1709. 10.	1.	—	1710. 17.	0.	—	1711. 17.	1.	—	1712. 18.	6.
1713. 28.	11.	—	1714. 28.	11.	—	1715. 32.	14.	—	1716. 35.	12.
1717. 35.	11.	—	1718. 25.	5.	—	1719. 31.	7.	—	1720. 22.	12.
1721. 26.	11.	—	1722. 19.	12.	—	1723. 7.	2.	—	1724. 14.	4.
1725. 15.	8.	—	1726. 22.	13.	—	1727. 7.	1.	—	1728. 25.	17.
1729. 14.	5.	—	1730. 7.	3.	—	1731. 11.	9.	—	1732. 15.	7.
1733. 9.	3.	—	1734. 7.	1.	—	1735. 11.	1.	—	1736. 7.	3.
1737. 12.	0.	—	1738. 15.	8.	—	1739. 11.	3.	—	1740. 14.	4.
1741. 11.	5.	—	1742. 12.	6.	—	1743. 12.	8.	—	1744. 21.	15.
1745. 8.	4.	—	1746. 4.	0.	—	1747. 5.	0.	—	1748. 5.	0.
1749. 12.	0.	—	1750. 25.	9.	—	1751. 13.	8.	—	1752. 5.	4.
1753. 9.	7.	—	1754. 12.	6.	—	1755. 11.	5.			

The

The second is a table (page 136) of the number of capital convictions in London and Middlesex, from 1749 to 1818 inclusive. In 1749 there were 61 convictions and 44 executions.—

1750.	84.	56.	—	1751.	85.	63.	—	1752.	52.	47.
1753.	57.	41.	—	1754.	50.	34.	—	1755.	39.	21.
1756.	30.	13.	—	1757.	37.	26.	—	1758.	32.	20.
1759.	13.	6.	—	1760.	14.	10.	—	1761.	22.	17.
1762.	25.	15.	—	1763.	61.	32.	—	1764.	52.	31.
1765.	41.	26.	—	1766.	39.	20.	—	1767.	49.	22.
1768.	54.	27.	—	1769.	71.	24.	—	1770.	91.	49.
1771.	60.	34.	—	1772.	79.	37.	—	1773.	101.	32.
1774.	87.	32.	—	1775.	74.	46.	—	1776.	80.	38.
1777.	63.	32.	—	1778.	81.	33.	—	1779.	60.	23.
1780.	94.	50.	—	1781.	90.	40.	—	1782.	108.	45.
1783.	108.	45.	—	1784.	153.	56.	—	1785.	151.	97.
1786.	127.	50.	—	1787.	113.	92.	—	1788.	83.	25.
1789.	97.	26.	—	1790.	67.	33.	—	1791.	83.	34.
1792.	89.	24.	—	1793.	58.	16.	—	1794.	71.	7.
1795.	49.	22.	—	1796.	93.	22.	—	1797.	81.	19.
1798.	82.	19.	—	1799.	72.	24.	—	1800.	101.	19.
1801.	101.	14.	—	1802.	97.	10.	—	1803.	82.	9.
1804.	67.	8.	—	1805.	63.	10.	—	1806.	60.	13.
1807.	74.	14.	—	1808.	87.	5.	—	1809.	89.	8.
1810.	118.	13.	—	1811.	106.	17.	—	1812.	132.	19.
1813.	138.	17.	—	1814.	158.	21.	—	1815.	139.	21.
1816.	227.	29.	—	1817.	208.	16.	—	1818.	201.	21.

The third is a table (page 132) of the total number of persons who have been committed, capitally convicted, and executed, in England and Wales, between 1805 and 1818 inclusive. In 1805 there were committed 4,605, capitally convicted 350, executed 68.

1806.	4,346.	325.	57.	—	1807.	4,446.	343.	63.
1808.	4,735.	338.	39.	—	1809.	5,330.	392.	60.
1810.	5,146.	476.	67.	—	1811.	5,337.	404.	45.
1812.	6,576.	532.	82.	—	1813.	7,161.	713.	120.
1814.	6,390.	558.	70.	—	1815.	7,818.	553.	57.
1816.	9,091.	890.	95.	—	1817.	13,932.	1,302.	115.
1818.	13,567.	1,254.	97.	—				

It will now be seen how groundless the invectives are, which have been directed against the late supposed actual or comparative increase of executions. The fact is exactly the reverse of that which is assumed; and since the year 1750, executions have decreased in the exact proportion in which convictions have augmented. The difficulty no doubt is, to discover whether the decrease in the number of executions has been the cause of the increase of crimes. Had

the increase of capital punishment invariably produced a diminution of convictions in subsequent years, or had a diminution of capital punishment produced an increase of convictions, the point would have been as satisfactorily established as the nature of the case will well admit. But a reference to the tables just quoted will shew that this result does not regularly happen. We are aware that in this department of policy, there are a greater number of circumstances to disturb the usual course of events than in almost any other. A distressed or agitated state of the country may have a tendency to increase crimes, though the terror occasioned by executions may greatly tend to reduce them; and on the contrary, the favourable state of all these may tend to diminish crimes, though the decrease of capital punishments would otherwise have increased them. As we have no desire to suppress any facts which bear upon so interesting a point of controversy, we have thought it our duty to insert the preceding tables as we find them, whether they may ultimately prove favourable to our opinions or not, and to leave those who examine them at full liberty to judge of them for themselves. To us it appears that the result of these tables is, upon the whole, hostile to the principles adopted by the Committee on the Criminal Laws, and that a great mitigation in punishment, especially if continued for several years together, has so generally been followed by multiplication of crimes, as to afford a strong presumption that a connexion subsists between them. A marked instance of this seems to occur in the years 1746, 7, 8, and 9, when no executions took place. It was towards the latter part of this period Fielding published his pamphlet 'on the late increase of robbers,' and accordingly we find that in 1750, when the course of lenity then adopted may be supposed to have become fully known to offenders, the number of convictions is double to that of the year before. In that year 9 were executed, and 8 in 1751, and the evil was again reduced. But by far the strongest confirmation of it, and indeed that upon which our opinion in this matter principally rests, is afforded by the experience of the last fifteen or twenty years. In 1805 the executions were to the convictions as 1 to 5, and in 1818 as 1 to 13, and in this short period the number of commitments and convictions has increased threefold. The Committee on Criminal Laws seem to have shewn satisfactorily, that this increase has not arisen from any temporary rigour on the part of prosecutors, nor do we think it can by any means be altogether accounted for from the circumstances of the times. The diminution of capital punishment appears to us a much more powerful cause than either; knowing, as criminals do, that this diminution has been produced by the reasoning and declamation which have during that time been so unremittingly directed against it. Mr. Harmer has remarked

in his evidence, 'that thieves observe the sympathy of the public. 'It seems (he says) to console them, and they appear less concerned 'than those who witness their sentence.' It not only consoles but emboldens them. Most of those who are tried for crimes are not persons who pay any attention to the letter of the law, but the administration of it, and finding capital punishment getting out of vogue, they are induced by the removal of that check to persevere in evil themselves, and enabled to corrupt others. Of all persons we have ever seen, criminals are the most acute in discovering arguments in their own favour, and in turning to advantage the sentiments and observations of others indicative of pity for their situation. While we express great reluctance to withdraw old or desperate offenders from capital punishment, we hope we have let slip no expression which can be construed into an approbation of its inconsiderate exercise. In those cases in which we might wish severity to be displayed towards the few, we are conscious of being prompted by no motive but that of compassion to the many; being well persuaded that punishment may be mitigated to so great a degree, that thousands may deplore it as the cause of their imperceptible deviation from innocence. The abolition or extreme restriction of capital punishment may therefore have effects more painful and deplorable than those of capital punishment itself, and not the less real, because it is impossible to specify the manner and individual instances of its operation. The result of it in this country seems however in some measure capable of being made apparent. Commitments have increased from 4,605, and convictions from 2,783, at which they stood in 1805, to the enormous number of 13,567 and 8,958, respectively, at which they stood at the period of the last returns. So far then, as the experiment has yet proceeded, it is a more severe, and not a more mitigated administration of the Criminal Laws, which it seems to countenance.

III. The third and last subject into which we proposed to inquire, was the best method by which the Criminal Law may be improved. Instead of adopting that plan of proceeding which the Committee appear to have done, and introducing a number of amendments one after another, we submit with great deference, whether it would not be every way more advisable at once to attempt a consolidation of the whole system.

We are aware of the suspicion with which such a proposal cannot fail to be received; but we can assure those who may be in any degree alarmed by it, that we are no friends to unnecessary innovation, and have not offered the opinion now expressed without deliberation, or acceded to it without reluctance. In doing this, we are anxious however to guard ourselves against being supposed to entertain any propensity to the introduction of theoretical principles

ciples into any portion of our jurisprudence. We wish for no new materials to construct a fresh Penal Code, but only a more convenient distribution of the old ones. The criminal law of this country is now spread over so many volumes, and the enactments on the same subject are in many cases so numerous, complicated, redundant and incongruous, that the time seems to have arrived when the legislature is called upon to make a strenuous effort to reduce it to a more intelligible and compact form. It must not be supposed, however, that such a measure is now broached for the first time. It is true indeed, that no serious step has ever yet been taken towards its accomplishment; but it is matter of historical record, that it was as distinctly contemplated 200 years ago as it can be at the present moment. Not to mention the appointment of Commissioners for the reformation of the canon law by 27 Hen. VIII. c. 15., and 3 & 4 Ed. VI. c. 11., it is stated by Lord Bacon, v. 2. p. 326. to have been announced by the chancellor in full parliament, during the 35 Eliz. that it was her Majesty's intention to amend the laws: and it appears by the Journals of the House of Lords of the 23d of July, 1610, that it was part of the claim of the House of Commons, in the treaty with James I. for the abolition of the Court of Wards, 'That His Majesty be petitioned to appoint some to make a diligent inquiry of all the penal statutes of the realm, to the end that such as are obsolete and unprofitable may be repealed; and that for the better ease and certainty of the subject, all such as are profitable concerning one matter, may be reduced into one statute.' We shall add nothing to diminish the clearness, energy, and comprehensiveness of the expressions here employed. Whether the subject was at all revived during the next 100 years, we do not know. It appears by the Journals of the House of Commons, v. 22. p. 71, that a Committee was appointed 'to consider the laws in being with respect to the punishment of criminals, and how the same may be made more effectual,' and that another was appointed in 1770, (Journals, v. 33. p. 27,) 'to consider of the criminal laws;' but it would seem that the first had no effect, and it appears by the volume last quoted, that the second contented itself with recommending the repeal of four obsolete and unimportant enactments. But these ineffective intentions of the government are not the only circumstances which afford countenance to such a consolidation as that which we have mentioned. It is further supported by the recorded and concurring opinions of Bacon, Coke and Hale—names which, considering the extent of their capacity, and experience in business, ought to have greater weight than those of any three lawyers that ever lived in England. For the sentiments of Lord Bacon, we refer to his Dedication, to Queen Elizabeth, of his Elements of the Common Law of England, and still more particularly to the proposal made by him to James I. 'touching the

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compiling and amendment of the laws of England.' This proposal extends to the law generally, but more especially to the penal part of it.

'This work,' he says, 'shining so in itself needs no taper. For the safety and convenience thereof, it is good to consider, and to answer, those objections or scruples which may arise or be made against this work.'

The two chief objections stated by him, are :

1. 'That it is a thing needless, and that the law, as it now is, is in good estate comparable to any foreign law ; and that it is not possible for the wit of man, in respect to the frailty thereof, to provide against the uncertainties and evasions or omissions of the law.'

To which he immediately afterwards makes this reply :

'For the comparison with foreign laws, it is in vain to speak of it ; for men will never agree about it. Our lawyers will maintain for our municipal laws ; civilians, scholars, travellers, will be of the other opinion.'

2d objection, 'That it is a great innovation ; and innovations are dangerous beyond foresight.'

To this he answers with that weight of thought and expression which so peculiarly belongs to him,

'All purgings and medicines, either in the civil or natural body, are innovations : so as that argument is a common place against all noble reformations. But the truth is, that this work ought not to be termed or held for any innovation in the suspected sense. For those are the innovations which are quarrelled and spoken against, that concern the consciences, estates, and fortunes of particular persons ; but this of general ordinance, pricketh not particulars, but passeth *sine strepitu*. Besides, it is on the favourable part ; for it easeth, it presseth not ; and lastly, it is rather matter of order and explanation, than of alteration.'

The opinion of Lord Coke in the Preface to his 4th Institute, is expressed in the following terms :

'As concerning the correcting of the common laws or ancient customs of England, may be applied all that hath been said concerning making of laws : only this add ; that it hath been an old rule in policy and law, that *correctio legum est vitanda*. And yet concerning certain of our penal statutes, to repeal many that time hath antiquated as unprofitable, and remain but as snares to entangle the subjects withal ; and to omit all those that be repealed, that none by them be deceived, as for example, concerning drapery or such like. To make one plain and perspicuous law, divided into articles, so as every subject may know what acts be in force, and what repealed, either by particular or general words, in part or in the whole, or what branches and parts abridged, what enlarged, what expounded ; so as each man may clearly know what and how much of them is in force, and how to obey them, it were a necessary work, and worthy of singular commendation ; which his Majesty, out of his great wisdom and care to the commonwealth,

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hath commanded to be done : for as they now stand, it will require great pains in reading over all, great attention in observing, and greater judgment in discerning, upon consideration of the whole, what the law is in any one particular point ; but with this caution, that there be certain statutes concerning the administration of justice, that are in effect so woven into the common law, and so well approved by experience, as it will be no small danger to alter or change them ; and herein, according to his royal commandment, (God willing) somewhat in due time shall be performed.'—He adds—' For bringing of the common laws into a better method, I doubt much of the fruit of that labour.'

The last person to whom we alluded is Lord Hale, and for his judgment we refer our readers to his ' Discourse on the Improvement of the Laws of England,' published in Hargrave's Collection of Juridical Tracts, which, though remaining in an unfinished state, well deserves a greater share of notice than has yet been paid to it. Those who have hitherto considered that exalted person merely as a dry practical lawyer and pious man, will there see him evincing a freedom from passion and prejudice, and a clearness and comprehensiveness of understanding, in no respect inferior to that of Bacon himself. More judicious maxims than the following, which occur at page 256, are no where to be met with.

' Therefore it is of great importance upon any alteration of the laws to be sure, 1. That the change be demonstrable to be for the better, and such as cannot introduce any considerable inconvenience in the other end of the wallet. 2. That the change, though most clearly for the better, be not in foundations or principles, but in such things as consist with the general frame and basis of the government or law. 3. That the change be gradual and not too much at once, or at least more than exigence of things requires.'

He afterwards makes some observations at page 264, which, though not pointed to the present subject, yet bear so strongly upon it, and are so applicable to the present times, that we cannot forbear to quote them.

' Exemplary miscarriages in the late times of such as have undertaken reformation, both in matters civil and ecclesiastical, hath brought a disrepute upon the undertaking of any reformation in either: so that the very name of reformation and a reformer begins to be a stile or name of contempt and obloquy ; so that men are as fearful to be under the reputation of a reformer of the law, as they would be of the name of knave, or fool, or hypocrite. And upon these and the like accounts it fares with the law and the sages thereof, as to the point of reformation of the law, as it did with the present age and the virtuosi of Parnassus in Bocaline. They dare not meddle with it, but let it live as long and as well as it can in the state they find it. Only to save their credit upon such occasions, they meddle with some little inconsiderable things, as they set the price upon turnips and carrot seed, but nothing is dared to be done of use and importance.'—And at page 270, ' All that which I contend for in the first and second chapter is, not to render

laws

laws of men like laws of nature, fixed and unalterable, but that it be done with great prudence, advice, care, and upon a full and clear prospect of the whole business.'—And immediately afterwards, 'I shall add but this one thing more, that it may justly be feared, that if something considerable for the reformation of things amiss in the law be not done by knowing or judicious persons, too much may some time or other be done by some, either out of envy at the professors, or mistaken apprehensions, or popular humours. The amendment of things amiss timely, by knowing able and judicious men that understand their business, may do very much good, and prevent very much evil that may otherwise ensue; and when the business is begun by such hands, it may possibly be too late to allay it.—And it will have this plausible pretence, that the judges and lawyers will do nothing to the laws, and therefore it shall be done by other hands. Such a humour would be more easily prevented by a wise and seasonable undertaking in this kind, which would not be so easily diverted or allayed, if once it should be flying. And thus much for this chapter.'

These quotations have not been here introduced with the idle view of gracing the discussion with illustrious names, or in order to bend expressions to a different purpose from that for which they were intended, but because we apprehend them to be deliberate opinions, given by men whose authority we are accustomed to revere, on the very measure now under consideration; and it is no slight satisfaction to us to have it in our power to adduce such vouchers, to prove that the undertaking we have ventured to suggest is neither new nor chimerical. From the accumulation of penal statutes which has since taken place, and the additional volumes over which they are spread, it cannot be less necessary now than it was 200 years ago. Should further and later evidence to the same effect be required, we have it in our power to offer it, and that too proceeding from a quarter to which we are sure universal deference will be paid. It was stated by Mr. Wilberforce, in the House of Commons on the 18th of May, 1808, (11 Hansard's Debates, p. 400,) that had Mr. Pitt's life been spared, it was his intention at an early period to propose a Digest of the whole Criminal Law. The annunciation of the intention is full and precise, and nothing but a deep conviction of its urgency and utility could have prompted Mr. Pitt to entertain it. But his course was closed at the very moment when he appears to have been pondering several master measures of internal policy, to the consideration of which he brought with him qualifications and facilities which none of his successors are likely soon to possess, and the accomplishment of which would have tended more perhaps than any of his former acts, to promote his own fame, the benefit of his country, and the stability of its constitution.

We shall now venture to suggest by what means a general revision of the criminal law might be executed, and what advantages this would

would possess over that method of improvement which the Committee seem inclined to pursue.

The first step would be to extract carefully from the Statute Book the whole of the penal laws now in force, classing them under different heads, in chronological order, and in the exact words in which they now appear. We are perfectly aware that no plan of classification could be devised with which all parties would be satisfied, or against which solid objections might not be raised; but it does not occur to us, that this is a valid obstacle to all attempts at arrangement. Although it is scarcely possible that any division should be suggested which would at once be natural and complete, yet the surprising coincidence of the heads under which it appears, by the Appendix to the Report, that the officers of the courts of assize have made their returns without having had any communication with one another, proves we think to demonstration, that all the chief enactments of the criminal law, might be comprised under thirty or forty different heads. The labour of ascertaining the law, on any point to which one had occasion to refer, would thus materially be diminished, and much assistance towards its future amelioration would be derived from the juxtaposition alone. Indeed we cannot conceive any extensive or safe alteration of the criminal law founded on any other basis, than that of some such collection of scattered enactments as we have now pointed out. What the next stage of proceeding should be, might create considerable difference of opinion. It occurs to us, that the most desirable would be, to consolidate all the enactments entered under each of the heads just mentioned into one, preserving the substance entire, and merely removing the repetitions, redundancies, and incongruities which would become visible. By these means the substance of the enactments of the present Criminal Law would be preserved entire, but greatly reduced in bulk, improved in form, and rendered more intelligible whether considered singly or collectively. The execution of this task would no doubt require much time, labour, and circumspection; but whether the legislature apportioned the execution of it among certain of its own members, or delegated it to others, there seems no cause for despairing that, in five or six years, it might be so far digested as to become a material improvement on the present system. When sufficiently matured, it might be passed as one act, and till then we see no inconvenience in permitting the law to remain in its present shape.

We feel no partiality for this plan of revision, and should certainly not have suggested any, unless we had judged it requisite, for the removal of objections which an indefinite proposal would have been sure to occasion, to shew, that when we proposed a general revision of our penal code, we had a distinct though perhaps erroneous notion both of the end in view, and of the means by which

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it is attainable. Whatever is proposed, provided it is safe and effectual, will meet with our warmest approbation; and we cannot omit to mention that one of the chief advantages of reducing this branch of our municipal institutions to a compact and definite form would be, that those who proposed amendments upon it, as well as those who had to decide upon them, would more clearly perceive both what the law was, and what any proposed alteration would make it to be. It has been suggested that an ample Index to the present laws, would, with less hazard, answer all the ends of the Digest now proposed. We fear it would not. An Index may be inaccurate, or deficient; it never saves to lawyers the trouble of reference to the acts themselves, and to persons not in the profession of the law is of little use at all. The more indexes to the Criminal Laws, excerpts from them, epitomes of them, or any other helps to the knowledge of them, which are said to supersede a consolidation are multiplied, the more necessary will that consolidation appear. To go on without it, seems to be legislating in the dark, without knowing with any degree of precision what the effect of new legislation will be. This is the main and insurmountable objection we make to the proceedings of the Committee, and unless we are mistaken, a strong illustration of it is exhibited upon the face of the Report itself. The 5th act in the second class of offences which the Committee propose to repeal, is that of cutting down growing trees, to which we formerly adverted; and this, along with all others contained in the same class, the Committee say, they 'would make punishable either by transportation or imprisonment with hard labour.' Now, suppose they thought fit to punish it by imprisonment with hard labour by a new law, there would then exist this new punishment, while the old punishment of transportation, imposed by 6 Geo. III. c. 48, would remain unrepealed. This the Committee could never have intended, and the oversight would not have happened if a collection of all the penal statutes on the same subject had been before them when they began the work of reformation. But this is not all. An act 'for providing summary remedy for certain wilful and malicious injuries' was passed in the course of the very last session, applying to trees, wood, and underwood, and constitutes a third punishment, totally different from either of the two former. While the Committee are thus employed in amending the old law, and correcting the mistakes or oversights which they themselves and other members of the legislature may in the mean while have committed, new enactments will follow one another with fatiguing rapidity, before Criminal Jurisprudence has been reduced to any tolerable order. Than such a state of things nothing can be more mischievous. Neither judges, lawyers, prosecutors, prisoners, nor juries, can feel assured with regard to a law which is undergoing perpetual
revolu-

revolution. There can be no doubt that alteration of the law should be avoided as long as it can; but, when it has once become indispensable, the care and consideration which an important change ensures, make it less to be apprehended than a succession of minor innovations which escape without observation.

We have now concluded the remarks we had to offer on each of the four sections into which the Report of the Committee is divided; on the question whether the punishment of death ought to be superseded either by transportation or imprisonment; and on the course which in our apprehension it would be most eligible to adopt for the improvement of Criminal Law. Any inaccuracy in figures or statement, into which, if we have fallen, it has been inadvertently, we intreat our readers to forgive; and for the length to which our observations have run, we have no other apology than this to offer, that the subject to which they relate is one which cannot be conveniently broken into parts, and when viewed altogether, involves a variety of topics, the difficulty of which will probably continue, as it has hitherto done, to divide the minds of men, which render it almost impossible to dispatch it briefly. We should regret if we have stated too widely, or pressed too far, any principle in favour of the existing law. We are not conscious of entertaining any partiality for it, further than the reasonableness of it can be evinced by fact and sound argument, and shall hail with as deep and unaffected satisfaction as any of those from whom we differ, any diminution which can be proved to be practicable in the rigour of its letter or administration; but it has been our main object to shew that it would be worse to unsettle the foundations on which our penal code now rests, until the solidity of those which have been pointed at by the Committee has been ascertained by a more severe and extensive examination than any to which they have hitherto been subjected. Whether we have succeeded or not, it is for them to determine; but we hope we have at least conducted our inquiries with that fairness which becomes all who respect their opponents or themselves, and have advanced no sentiment or doctrine, in course of the discussion, which under any circumstances we should be ashamed to avow.

* *Ad respublicas firmandas, et ad stabiliendas vires, sanandos populos, omnis nostra pergit oratio. Quocirca vereor committere, ut non bene provisus et diligenter explorata principia ponantur; nec tamen ut omnibus probentur (nam id fieri non potest) sed ut iis, qui omnia recta atque honesta per se expetenda duxerunt, et aut nihil omnino in bonis numerandum, nisi quod per seipsum laudabile esset, aut certe nullum habendum magnum bonum, nisi quod vere laudari sua sponte posset. Cicero de Legibus, cap. 13.*

ERRATUM.

No. XLVI. page 407, line 11 from bottom, for 'possesses' the contest, read, 'pushes' the contest.

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